

भारत का राजपत्र

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पुस्तक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defense)

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 19 दिसम्बर, 2008

क्र. आ. 1.—सरकारी स्थान (अप्राधिकृत अभिप्रेतियों की बेखाली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 30 अक्टूबर, 2001 के भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग की अभिसूचना सं. 13/10/2001-ओ.ओ.फ.स. अधीन प्रकाशित करते हुए, केन्द्र सरकार, एकरूपता, सरकार के स्थापित अधिकारी के स्तर के समकक्ष अधिकारी होने पर निम्नलिखित सारणी के कालम (2) में उल्लिखित अधिकारियों को उक्त अधिनियम के प्रयोजन के लिए सम्पदा अधिकारियों को नियुक्त करती है, जो सारणी के कालम (3) में उल्लिखित सरकारी स्थानों के संबंध में उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग करेंगे और उन्हें सौंपे गए कर्तव्यों को पूरा करेंगे :—

सारणी

क्रम सं.	अधिकारी का पद नाम	सरकारी स्थानों की श्रेणियाँ तथा क्षेत्राधिकार की स्थानीय सीमाएँ
(1)	(2)	(3)
1.	सर्किल प्रभान, इंडियन बैंक, सर्किल कार्यालय, अहमदाबाद	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा गुजरात एवं राजस्थान राज्य में स्थित जिले।
2.	सर्किल प्रभान, इंडियन बैंक, सर्किल कार्यालय, बंगलूर	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा गोवा और कर्नाटक राज्य में स्थित जिले।
3.	सर्किल प्रभान, इंडियन बैंक, सर्किल कार्यालय, मुबई/मुंबई	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा छत्तीसगढ़ और उड़ीसा राज्य में स्थित जिले।

(1)	(2)	(3)
4. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, चण्डीगढ़	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा चण्डीगढ़, हिमाचल प्रदेश, जम्मू एवं काश्मीर और पंजाब राज्य में स्थित जिले।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा हरियाणा राज्य में स्थित अम्बाला, भिवानी, हिसार, झज्जर, करनाल, पंचकुला, सोनीपत, रोहतक, सिरसा, सोनीपत और यमुनानगर जिले।
5. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, चेन्नै	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा अंडमान व निकोबार राज्य में स्थित जिले।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य में स्थित जिले।
6. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, चित्तूर	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : आंध्र प्रदेश राज्य में अनंतपुर, चित्तौड़, कडापा और नेल्लोर।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य में कोयम्बतूर, इरोड और नीलगिरी।
7. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, कोयम्बतूर	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : तमिलनाडु राज्य में कोयम्बतूर, इरोड और नीलगिरी।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य के कड्डालूर जिला में स्थित स्थान।
8. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, कड्डालूर	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : तमिलनाडु राज्य में धर्मापुरी और कृष्णागिरी।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : पांडिचेरी राज्य का माहे।
9. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, धर्मापुरी	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : तमिलनाडु राज्य में धर्मापुरी और कृष्णागिरी।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा अरुणाचल प्रदेश, असम, मेघालय, नागालैंड, त्रिपुरा राज्य के जिलों में स्थित स्थान।
10. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, एर्णाकुलम	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : पांडिचेरी राज्य का माहे।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा आंध्र प्रदेश राज्य के हैदराबाद, करीम नगर, खम्माम, कूरनूल, महबूबनगर, मेंडक, नालगोंडा, निजामाबाद, रंगा रेडडी और वारंगल।
11. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, गुवाहाटी	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : तमिलनाडु राज्य में कांचीपुरम और तिरुवल्लूर।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए सिक्किम और पश्चिम बंगाल राज्य में स्थित स्थान।
12. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, हैदराबाद	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : तमिलनाडु राज्य में नागापत्तीनम, तंजावुर, धिरुवर।	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : उत्तर प्रदेश राज्य में आगरा, अलीगढ़, इलाहाबाद, बहराइच, बलरामपुर, बाराबंकी, बरेली, बिजनौर, बुलन्दशहर, गोरखपुर, हरदोई, हरिद्वार, हाथरस, कानपुर नगर, लखनऊ,
13. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, कांचीपुरम	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : तमिलनाडु राज्य में कांचीपुरम और तिरुवल्लूर।	
14. सर्किल प्रधान, इंडियन बैंक, अंचल अंचल कार्यालय, कोलकाता	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : तमिलनाडु राज्य में नागापत्तीनम, तंजावुर, धिरुवर।	
15. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, कुंभकोणम	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : उत्तर प्रदेश राज्य में आगरा, अलीगढ़, इलाहाबाद, बहराइच, बलरामपुर, बाराबंकी, बरेली, बिजनौर, बुलन्दशहर, गोरखपुर, हरदोई, हरिद्वार, हाथरस, कानपुर नगर, लखनऊ,	
16. सर्किल प्रधान, इंडियन बैंक, अंचल कार्यालय, लखनऊ	इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा निम्नलिखित जिलों में स्थित स्थान : उत्तर प्रदेश राज्य में आगरा, अलीगढ़, इलाहाबाद, बहराइच, बलरामपुर, बाराबंकी, बरेली, बिजनौर, बुलन्दशहर, गोरखपुर, हरदोई, हरिद्वार, हाथरस, कानपुर नगर, लखनऊ,	

(1)

(2)

(3)

17. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, मदुरै
18. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, मुम्बई
19. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, नई दिल्ली
20. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, पटना
21. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, पुदुच्चेरी
22. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, पुणे
23. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, सेलम
24. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, तिरुनेल्वेली
25. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, त्रिची
26. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, वेल्लूर
27. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, विजयवाड़ा
28. सर्किल प्रधान, इंडियन बैंक, सर्किल कार्यालय, विशाखापट्टनम

मधुरा, मेरठ, मिर्जापुर, मुजफ्फर नगर, पीलीभीत, रायबरेली, रामपुर, सहारनपुर और काठमांडू।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा उत्तरांचल राज्य के जिलों में स्थित स्थान :

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य में स्थित डिंडुगल, मदुरै, रामनाथपुरम, शिवगंगा और कोन्नी जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा महाराष्ट्र राज्य में स्थित ग्रेटर मुम्बई, मुम्बई, मुम्बई उप नगरीय तथा ठाणे जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा दिल्ली और दिल्ली राज्य में स्थित जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा हरियाणा में स्थित फरीदाबाद और गुड़गांव जिला।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा मध्य प्रदेश राज्य में स्थित जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा उत्तर प्रदेश राज्य में स्थित गाजियाबाद, गौतमबुद्धनगर और नौयडा जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा बिहार और झारखण्ड राज्य में स्थित जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा कराईकल और पुदुच्चेरी राज्य में स्थित जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य में स्थित विल्लुपुरम जिला।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा महाराष्ट्र राज्य में स्थित अहमदनगर, अकोला, अमरावती, औरंगाबाद, चन्द्रपुर, कोल्हापुर, नागपुर, नासिक, पुणे, सांगली, सतारा, सोलापुर और यवतमाल जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य में स्थित नमक्कल और सेलम जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य में स्थित कन्याकुमारी तिरुनेल्वेली, द्यूकुडी और तिरुट्टनगर जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य में स्थित अरियालूर, करूर, पेरम्बलूर, पुट्टकोट्टई और तिरुचापल्ली जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा तमिलनाडु राज्य में स्थित तिरुवन्नामलाई और वेल्लूर जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा आंध्र प्रदेश राज्य में स्थित गुंटूर, कृष्णा और प्रकाशम जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा आंध्र प्रदेश राज्य में स्थित ईस्ट गोदावरी, श्रीकाकुल्लम, विशाखापट्टनम, विजयनगरम और वेस्ट गोदावरी जिले।

इंडियन बैंक के अपने अथवा उसके द्वारा अथवा उसकी ओर से पट्टे पर लिए गए तथा पुदुच्चेरी राज्य में स्थित यन्नम जिला।

[फा. सं. 65/1/2008-बीओ-II]

एस. गोपाल कृष्ण, अवसर सचिव

MINISTRY OF FINANCE
(Department of Financial Services)
 New Delhi, the 19th December, 2008

S.O. 1.—In exercise of the powers conferred by Section 3 of Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the Notification of the Government of India in the Ministry of Finance, Department of Economic Affairs, No. 13/10/2001 dated the 30th October, 2001, the Central Government hereby appoints the officers mentioned in column (2) of the Table below, being officer equivalent to the rank of a Gazetted Officer of Government to be Estate Officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on the Estate Officers by or under the said Act, in respect of the public premises specified in column (3) of the said table.

TABLE

S. No.	Designation of the Officer	Categories of Public Premises and Local Limits of Jurisdiction
(1)	(2)	(3)
1.	Circle Head, Indian Bank, Circle Office, Ahmedabad	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the States of Gujarat and Rajasthan
2.	Circle Head, Indian Bank, Circle Office, Bangalore	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the States of Goa and Karnataka
3.	Circle Head, Indian Bank, Circle Office, Bhubaneswar	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the States of Chhattisgarh and Orissa
4.	Circle Head, Indian Bank, Circle Office, Chandigarh	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the States of Chandigarh, Himachal Pradesh, Jammu and Kashmir and Punjab. Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of Ambala, Bhiwani, Hisar, Jhajjar, Karnal, Panchkula, Panipat, Rohtak, Sirsa, Sonipat and Yamunanagar in the State of Haryana
5.	Circle Head, Indian Bank, Circle Office, Chennai	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the State of Andaman & Nicobar. Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of Chennai in the State of Tamil Nadu.
6.	Circle Head, Indian Bank, Circle Office, Chittoor	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Anantapur, Chittoor, Cuddapah and Nellore in the State of Andhra Pradesh.
7.	Circle Head, Indian Bank, Circle Office, Coimbatore	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Coimbatore, Erode and Nilgiris in the State of Tamil Nadu.
8.	Circle Head, Indian Bank, Circle Office, Cuddalore	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of Cuddalore in the State of Tamil Nadu.
9.	Circle Head, Indian Bank, Circle Office, Dharmapuri	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Dharmapuri and Krishnagiri in the State of Tamil Nadu.
10.	Circle Head, Indian Bank, Circle Office, Ernakulam	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the State of Kerala. Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Mahe in the State of Pondicherry.

(1)	(2)	(3)
11. Circle Head, Indian Bank, Circle Office, Guwahati		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the States of: Arunachal Pradesh, Assam, Meghalaya, Nagaland and Tripura.
12. Circle Head, Indian Bank, Circle Office, Hyderabad		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Hyderabad, Karimnagar, Khammam, Kurnool, Mahbubnagar, Medak, Nalgonda, Nizamabad, Ranga Reddy and Warangal in the State of Andhra Pradesh.
13. Circle Head, Indian Bank, Circle Office, Kancheepuram		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Kancheepuram and Tiruvallur in the State of Tamilnadu.
14. Circle Head, Indian Bank, Circle Office, Kolkata		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the States of: Sikkim and West Bengal.
15. Circle Head, Indian Bank, Circle Office, Kumbakonam		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Nagapattinam, Thanjavur and Thiruvallur in the State of Tamilnadu.
16. Circle Head, Indian Bank, Circle Office, Lucknow		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Agra, Aligarh, Allahabad, Bahraich, Balrampur, Bara Bunki, Bareilly, Bijnor, Bulandshahr, Gorakhpur, Hardoi, Haridwar, Hathras, Kanpur Nagar, Lucknow, Mathura, Meerut, Mirzapur, Moradabad, Muzaffarnagar, Pilibhit, Rai Bareilly, Rampur, Saharanpur, Shahjahanpur and Varanasi in the State of Uttar Pradesh.
		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the State of Uttaranchal.
17. Circle Head, Indian Bank, Circle Office, Madurai		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Dindugal, Madurai, Ramanathapuram, Sivaganga and Theni in the State of Tamilnadu.
18. Circle Head, Indian Bank, Circle Office, Mumbai		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Greater Mumbai, Mumbai, Mumbai Sub Urban and Thane in the State of Maharashtra.
19. Circle Head, Indian Bank, Circle Office, New Delhi		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Delhi in the State of Delhi.
		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Faridabad and Gurgaon in the State of Haryana.
		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the State of Madhya Pradesh.
		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Ghaziabad, Gautam Budh Nagar and Noida in the State of Uttar Pradesh.
20. Circle Head, Indian Bank, Circle Office, Patna		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts in the States of Bihar and Jarkhand.
21. Circle Head, Indian Bank, Circle Office, Pondicherry		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of: Karaikal and Pondicherry in the State of Pondicherry.

(1)	(2)	(3)
		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : Villupuram in the State of Tamilnadu.
22.	Circle Head, Indian Bank, Circle Office, Pune	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : Ahmednagar, Akola, Amravati, Aurangabad, Chandrapur, Kolhapur, Nagpur, Nasik, Pune, Sangli, Satara, Solapur and Yavatmal in the State of Maharashtra.
23.	Circle Head, Indian Bank, Circle Office, Salem	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : Namakkal and Salem in the State of Tamilnadu.
24.	Circle Head, Indian Bank, Circle Office, Tirunelveli	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : Kanyakumari, Tirunelveli, Toothukudi and Virudhunagar in the State of Tamilnadu.
25.	Circle Head, Indian Bank, Circle Office, Trichy	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : Ariyalur, Karur, Perambalur, Pudukottai and Tiruchirapalli in the State of Tamilnadu.
26.	Circle Head, Indian Bank, Circle Office, Vellore	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : Tiruvannamalai and Vellore in the State of Tamilnadu.
27.	Circle Head, Indian Bank, Circle Office, Vijayawada	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : Guntur, Krishna and Prakasam in the State of Andhra Pradesh.
28.	Circle Head, Indian Bank, Circle Office, Visakhapatnam	Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : East Godavari, Srikakulam, Visakhapatnam, Vizianagaram and West Godavari in the State of Andhra Pradesh.
		Premises belonging to or taken on lease by, or on behalf of Indian Bank and situated in the districts of : Yanam in the State of Pondicherry.
		[F. No. 65/1/2008-BO-II] S. GOPAL KRISHNA, Under Secy.

विदेश मंत्रालय

(सी.पी.वी. प्रभाग)

नई दिल्ली, 22 दिसम्बर, 2008

का.आ. 2.—राजनयिक कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) का 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का राजदूतावास, अलमाती, कजाकिस्तान में श्री परमेश्वरन वी., पी.ए. को 22-12-2008 से सहायक कौंसली अधिकारी का कार्य करने हेतु प्राधिकृत करती है।

[स. टी. 4330/1/2006]

आर. के. पेरिन्दिया, अवर सचिव (कौंसलर)

MINISTRY OF EXTERNAL AFFAIRS

(C.P.V Division)

New Delhi, the 22nd December, 2008

S.O. 2.—In pursuance of the clause (ii) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948, the Central Government hereby authorize Shri Parameswaran V., PA to perform the duties of Assistant Consular Officer in the Representative Office of India, Almaty (Kazakhstan) with effect from 22nd December, 2008

[No. T. 4330/1/2006]

R. K. PERINDIA, Under Secy. (Consular)

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 19 दिसम्बर, 2008

कार.आ. 3.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्र. सं.	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आईएस 9297 : 1979 बाँधों के अन्दर प्रकाश संवातन और अन्य सुविधाओं की अनुशंसाएं	संशोधन सं. 1, अक्टूबर, 2008	31-10-08

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बटूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : डब्ल्यू आर डी 9/टी-11]

ए. एम. डेविड, वैज्ञ. ई, निदेशक (जल संसाधन विभाग)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 19th December, 2008

S.O. 3.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No., Title and year of the Indian Standards	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 9297 : 1979 Recommendations for Lighting, Ventilation and other Facilities inside Dams	Amendment No. 1 October, 2008	31-10-08

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: WRD/WT-11]

A. M. DAVID, Sc. E, Director (Water Resources Deptt.)

नई दिल्ली, 19 दिसम्बर, 2008

का.आ. 4.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्र. सं.	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आईएस 10137 : 1982 स्पिलवेज एवं ऊर्जा डेसीपेटर्स के चयन के दिशा-निर्देश	संशोधन सं. 1 अक्टूबर, 2008	31-10-08

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं ।

[संदर्भ : डब्ल्यू आर डी 9/टी-14]

ए. एम. डेविड, वैज्ञा. ई, निदेशक (जल संसाधन विभाग)

New Delhi, the 19th December, 2008

S.O. 4.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No., Title and Year of the Indian Standards	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 10137:1982 Guidelines for Selection of Spillways and Energy Dissipators	Amendment No. 1, October, 2008	31-10-08

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: WRD 9/T-14]

A. M. DAVID, Sc. E, Director (Water Resources Deptt.)

नई दिल्ली, 19 दिसम्बर, 2008

का.आ. 5.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्र. सं.	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आईएस 8605 : 1977 चिनाई बांधों के निर्माण की रीति संहिता	संशोधन सं. 1, अक्टूबर, 2008	31-10-08

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं ।

[संदर्भ : डब्ल्यू आर डी 9/टी-8]

ए. एम. डेविड, वैज्ञा. ई, निदेशक (जल संसाधन विभाग)

New Delhi, the 19th December, 2008

S.O. 5.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No., Title and Year of the Indian Standards	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 8605 : 1977 Code of practice for construction of Masonry Dams	Amendment no. 1 October, 2008	31-10-08

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: WRD 9/T-8]

A. M. DAVID, Sc. E, Director (Water Resources Deptt.)

नई दिल्ली, 19 दिसम्बर, 2008

का.आ. 6.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्र. सं.	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आईएस 12169 : 1987 छोटे तटबंध बांधों की डिजाइन के भावदंड	संशोधन सं. 1 अक्टूबर, 2008	31-10-08

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाहटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : डब्ल्यू आर डी 9/टी-22]

ए.एम. डेविड, वैज्ञा. ई, निदेशक (जल संसाधन विभाग)

New Delhi, the 19th December, 2008

S.O. 6.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No., Title and Year of the Indian Standards	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 12169 : 1987 Criteria for Design of Small Embankment Dams	Amendment no. 1 October, 2008	31-10-08

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: WRD 9/T-22]

A. M. DAVID, Sc. E, Director (Water Resources Deptt.)

नई दिल्ली, 22 दिसम्बर, 2008

का.आ. 7.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम, 4 के उप विनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को आगे दर्शाई तारीख से स्वीकृत कर दिया गया है :

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत प्रक्रम सम्बन्ध एवं भारतीय मानक सहित	स्वीकृत करने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	8964813	मेसर्स प्रेम इंडस्ट्रीज प्लॉट नं. 221, उरला इंडस्ट्रियल एरिया, रायपुर-492007 (छ. ग.)	आईएस 14151 भाग 2 : 1999 एरिगेशन इक्वीपमेंट—स्प्रिंकलर पाइप	02-09-2008
2.	8966514	मेसर्स यू पी पम्पस प्रा. लिमिटेड 26-बी, महाराजपुरा इंडस्ट्रियल एरिया, मोरार, ग्वालियर-474005 (म. प्र.)	आईएस 15500 भाग 3 : 1995 डीपवेल हेण्डपम्प	05-09-2008
3.	8968821	मेसर्स, गोदावरी पावर एण्ड इस्पात लिमिटेड 428/2, फेज 1, इंडस्ट्रियल एरिया, सिलतारा, रायपुर-493111	आईएस 2830:1992 कार्बन स्टील कास्ट बीलेट इन्गोट	08-09-2008
4.	8968518	मेसर्स, महावीर लैमिनेट्स 660,661 उरला इंडस्ट्रियल एरिया पोलीस स्टेशन के पीछे रायपुर	आईएस 2202 भाग 1 : 1999	09-09-2008
5.	8968417	मेसर्स महावीर लैमिनेट्स 660, 661, उरला इंडस्ट्रियल एरिया, पोलीस स्टेशन के पीछे, रायपुर	आईएस 1659:2004 ब्लॉक बोर्ड	09-09-2008
6.	8968619	मेसर्स सिद्धार्थ टयूब्स लिमिटेड (सीआरएम विभाग) सर्वे नं. 171, 172, 173 एण्ड 174 ग्राम लोण्डीया, शाजापुर-452007, (मध्य प्रदेश)	आई एस 277: 2003 गाल्वनाइज्ड स्टील शीट्स	11-09-2008
7.	8967415	मेसर्स रिस्ताबल बेवरेजेस प्रा. लि., 71-श्री नगर, खजराना मेन रोड, इन्दौर-452018 (मध्य प्रदेश)	आई एस 14543 : 2004 पैकेज्ड ड्रिंकिंग वाटर	11-09-2008
8.	8969318	मेसर्स श्री बालाजी प्युरीफाइड ड्रिंकिंग वाटर, ग्राम साकरेली कालान, शक्ती, जांजगिर, चाम्पा, रायपुर (म. प्र.)	आई एस 14543 : 2004	11-09-2008

(1)	(2)	(3)	(4)	(5)
9.	8968720	मेसर्स बाबाजी स्टीयरल्स (इण्डिया) लिमिटेड, रिंग रोड नं. 2, कदीमन, रायपुर (छ. ग.)	आई एस 2062:2006 स्टील फॉर जनरल स्टीयरल्स	22-09-2008
10.	8969823	मेसर्स उबा एम्प पाइप्स प्लॉट नं. 89, इंडस्ट्रियल, एरिया, रिऊह, जबलपुर (मध्य प्रदेश)	आई एस 438:2003 ग्रीकास्ट कॉम्प्रीट बाइपास (R.O.)	30-09-2008

[सं. के प्र/13 : 11]

पौ. के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 22nd December, 2008

S.O. 7.—In pursuance of sub regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences for the Month of September, 2008 particulars of which are given in the following schedule :

Sl. No.	Licence No.	Name and address of the licensee	IS No. and title	Grant Date
(1)	(2)	(3)	(4)	(5)
1.	8964813	M/s. Prem Industries Plot No. 221, Urm Industrial Area, Raipur-492007 (C.G.)	IS 14151 (P2): 1999 Irrigation Equipment- Sprinkler Pipes- Specification-Part 2 : Quick Coupled Polyethylene Pipes	02-09-2008
2.	8966514	M/s. U P Pumps Pvt. Limited (Unit II) 26-B (Part) Maharajpura Industrial Area, Morar, Gwalior-474005 (M. P.)	IS 15500 (P-3): 2004 Deepwell handpumps, Components and Special Tools- Handpump sub- Assemblies	05-09-2008
3.	8968821	M/s. Godawari Power and Ispat Limited 428/2, Phase I, Industrial Area, Siliguri, Raipur-493111 (C. G.)	IS 2830: 1992 Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	08-09-2008
4.	8968518	M/s. Mahavir Laminates 660,661 Urla Industrial Area, behind Police Station, Raipur	IS 2202 (P I): 1999 Specification for wooden flush door shutters (solid core type): Part I Plywood face panels	09-09-2008

(1)	(2)	(3)	(4)	(5)
5.	8968417	M/s. Mahavir Laminates 660,661 Urla Industrial Area, Behind Police Station, Raipur	IS 1659:2004 Specification for block boards	09-09-2008
6.	8968619	M/s. Siddharth Tubes Limited (CRM Division) Survey No. 171,172,173 and 174, Village Londhiya, Shajapur-452007 (M. P.)	IS 277:2003 Galvanized Steel Sheets (Plain and Corrugated)- Specification	11-09-2008
7.	8967415	M/s. Reliable Beverages Pvt. Limited, 71-Sri Nagar, Khajrana Main Road Indore-452018 (M. P.)	IS 14543:2004 Packaged Drinking Water (other than Packaged Natural Mineral Water)- Specification	11-09-2008
8.	8969318	M/s. Shri Balaji Purified Drinking Water, Village Sakareli Kalan, Shakti, Jangir Champa, Raipur (C. G.)	IS 14543:2004 Packaged Drinking Water (other than Packaged Natural Mineral Water)- Specification	11-09-2008
9.	8968720	M/s. Balaji Structural (India) Limited, Ring Road No. 2, Tatibandh, Raipur (C. G.)	IS 2062:2006 Steel for General Structural Purposes- Specification	22-09-2008
10.	8969823	M/s. Usha Spun Pipes Plot No. 89, Industrial Area, Richhai, Jabalpur (M. P.)	IS 458 : 2003 Specification for Precast Concrete Pipes (with and without Reinforcement)	30-09-2008

[No. CMD/13:11]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 22 दिसम्बर, 2008

का.आ. 8.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 5 के उप विनियम 6 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को आगे दर्शाई तारीख से निरस्त कर दिया गया है :

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत प्रक्रम सम्बन्ध एवं भारतीय मानक सहित	निरस्त करने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	8434376	मेसर्स गोराजी इंडस्ट्रीज 32-33, सेक्टर-एफ, सॉवर रोड, इंडस्ट्रियल एरिया, इन्दौर (म. प्र.)	आईएस 4246: 2002 डोमेस्टिक गैस स्टोव फार यूज विथ एलपीजी	04-09-2008

(1)	(2)	(3)	(4)	(5)
2	8123763	मेसर्स यूनापेस्ट पेस्टीसाइड्स न्यू इंडस्ट्रियल एरिया, रावाभटा, रायपुर (म.प्र.)	आई एस 4323:1980 एन्डोसल्फान इमुल्सिफिबल कॉन्सेंट्रेट्स	11-09-2008
3	8484997	मेसर्स सूर्य गैस प्रा. लिमिटेड प्लॉट नं. 180, सेक्टर-ए, इंडस्ट्रियल एरिया, मन्डीदीप (म.प्र.)	आई एस 7142:1995 वेल्डेड लो कार्बन स्टील सिलेंडर फॉर लो प्रेसर् लीक्वीएबल गैस नॉट एक्सिडिंग 5 लीटर कॅपैसिटी	25-09-2008
4	8621577	मेसर्स सिद्धार्थ ट्यूब लिमिटेड तरागंज, इंडस्ट्रियल एरिया ए बी रोड, रायपुर, रायगढ़-452007 (म.प्र.)	आई एस 11722:1986 थिन वॉल्लेड फ्लेक्सिबल कूपलिंग पाइप	26-09-2008

[सं. के प्र/13 : 13]

पी. के. गम्भीर, डप. महानिदेशक (मुहर)

New Delhi, the 22nd December, 2008

S.O. 8.—In pursuance of Sub regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given have been Expired with effect from the date indicated against each :

Sl. No.	Licence No. licensees	Name and address of the	IS No. and title	Expired Date
(1)	(2)	(3)	(4)	(5)
1.	8434376	M/s Gorani Industries 32-33 Sector F Sanwer Road Industrial Area Indore (M.P.)	IS 4246:2002 Domestic gas stoves for use with LPG	04-09-2008
2.	8123763	M/s United Pesticides New Industrial Area, Rawabhata, Raipur-493221	IS 4323:1980 Endosulfan emulsifiable concentrates	11-09-2008
3.	8484997	M/s Surya Gages Pvt. Limited Plot No. 180, Sector A, Industrial Area, Mandideep. (M.P.)	IS 7142:1995 Welded low carbon steel cylinders for low pressure liquifiable gases not exceeding 5 litre water capacity	25-09-2008
4.	8621577	M/s Siddharth Tubes Limited Taraganj Industrial Area, AB Road Sarangpur, Raigarh-452007 (M.P.)	IS 11722:1986 Thin walled flexible-quick coupling pipes	26-09-2008

[No. CMD/13:13]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 23 दिसम्बर, 2008

का.आ. 9.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 5 के उप विनियम 6 के अनुसार में भारतीय मानक ब्यूरो द्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को आगे दर्शाई तारीख से लाइसेंस निरस्त कर दिया गया है :

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत प्रक्रम सम्बन्ध एवं भारतीय मानक सहित	निरस्त करने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	8680593	मैसर्स एम. पी. टेलि लिंक्स लिमिटेड, जे4 (ए), जे5, जे6, घिरोंगी इण्डस्ट्रियल एरिया, भिण्ड, (म. प्र.)	आईएस 14255 : 1995 एरियल बन्चड केबल्स फार वर्किंग वोल्टेज अपटू एण्ड इनकलूडिंग 11000 वोल्ट्स	15-10-2008

[सं. के. प्र/13:13]

पी. के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 23rd December, 2008

S.O. 9.—In pursuance of sub regulation (6) of Regulation 5 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given have been expired with effect from the date indicated against each :—

Sl. No.	Licence No.	Name and address of the licensees	IS No. and title	Expired Date
(1)	(2)	(3)	(4)	(5)
1.	8680593	M/s. M. P. Telelinks Limited, J4(A), J5, J6, Ghirongi Indl., Area, Bhind (M. P.)	IS 14255 : 1995 Aerial Bunched Cables for working voltages upto and including 1100 Volts-specification	15-10-2008

[No. CMD/13:13]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 23 दिसम्बर, 2008

का.आ. 10.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के नियम (4) के उप नियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन लाइसेन्सों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिये गए हैं :—

अनुसूची

क्रम संख्या	लाइसेंस संख्या अक्टूबर 2008	चालू तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक व संबंधित भारतीय मानक
(1)	(2)	(3)	(4)	(5)
1.	8968215	29-09-2008	मैसर्स जे. पी. ज्वैलर्स, मेन चौपाटी, भीलवाडा रोड, कांकरोली, जिला- राजसमंद (राजस्थान)	1417 : 1999 स्वर्णभूषणों की हॉलमार्किंग
2.	8968316	29-09-2008	मैसर्स राठी पोलीप्लास्ट प्रा. लि., एफ-49, कालाडरा औद्योगिक क्षेत्र, कालाडरा, राजस्थान जिला - जयपुर-303801	4985 : 2000 अनप्लास्टिसाइज्ड पीवीसी पाइप्स फॉर पोटेबल वॉटर सप्लाय

(1)	(2)	(3)	(4)	(5)
3.	8969015	30-09-2008	मैसर्स सुख केबल्स प्रा. लि., एफ-173, बिन्दायका औ. क्षेत्र, रोड नं. 9, फेज-2, बिन्दायका, जिला-जयपुर-302012 (राजस्थान)	7098 (भाग 1) : 1988 क्रॉसलिंग्क पोलीथिलीन इन्सुलेटेड पीवीसी शीथेड केबल्स
4.	8969520	30-09-2008	मैसर्स कुमार इलेक्ट्रिकोन प्रा. लि., बी-3, राय आरकेड, स्टेशन रोड अलवर (राजस्थान)	398 (भाग 2) : 1996 एसीएसआर
5.	8969722	03-10-2008	मैसर्स प्रियदर्शी ज्वैलर्स, टैम्पल रोड, नयागांव, तहसील-खेरवाडा, जिला उदयपुर-राजस्थान	1417 : 1999 स्वर्णामूषणों की होलमार्किंग
6.	8971608	07-10-2008	मैसर्स ग्रेड सील, बैराठी भवन, एम. आई. रोड, जयपुर-302001 (राजस्थान)	1417 : 1999 स्वर्णामूषणों की होलमार्किंग
7.	8971709	07-10-2008	मैसर्स राजेश टेक्नो प्लास्ट, जी-109, कालाडेर औद्योगिक क्षेत्र, चौनु, कालाडेर, जिला-जयपुर (राजस्थान)	14151 (भाग 2) : 1999 इरीगेशन इन्विलपमेंट-सिस्टर पाइप्स-क्विक फ्लॉव पोलिथिलीन पाइप्स
8.	8971810	08-10-2008	मैसर्स फोल्ड सील, बैराठी भवन, एम. आई. रोड, जयपुर-302001 (राजस्थान)	2112 : 2003 रजत आभूषणों की होलमार्किंग
9.	8973006	08-10-2008	मैसर्स मनभावन ज्वैलर्स, सबर बाजार, खेरवाडा, उदयपुर-313803 (राजस्थान)	1417 : 1999 स्वर्णामूषणों की होलमार्किंग
10.	8973107	13-10-2008	मैसर्स गहना, 58, बड़ा बाजार, उदयपुर-313001 (राजस्थान)	1417 : 1999 स्वर्णामूषणों की होलमार्किंग
11.	8973208	13-10-2008	मैसर्स काहीनूर ज्वैलर्स, कोटियों की गंवाडी न्यू सीरीफा बाजार, 15/49, सेलीवाडा (108, मामाशाह मार्ग) उदयपुर-313001 (राजस्थान)	1417 : 1999 स्वर्णामूषणों की होलमार्किंग
12.	8974816	16-10-2008	मैसर्स गठी कोलीप्लास्ट प्रा. लि., एफ-49, कालाडेर औद्योगिक क्षेत्र, कालाडेर, जिला-जयपुर-303801 (राजस्थान)	13592 : 1992 यूपीवीसी पाइप्स फॉर सॉइल एण्ड वेस्ट डिस्चार्ज सिस्टम्स
13.	8975212	17-10-2008	मैसर्स कोठारी फर्नालेक्स लिमिटेड, ई-206, रोड नं. 10, मिहसकर्मा औद्योगिक क्षेत्र, जयपुर-302013 (राजस्थान)	14151 (भाग 1) : 1999 इरीगेशन इन्विलपमेंट-सिस्टर पाइप्स-पोलीथिलीन पाइप्स
14.	8975313	22-10-2008	मैसर्स जे.पी. एण्ड सन्स ज्वैलर्स, नया राहर, घंटाघर के पास, सीकर-332001 (राजस्थान)	1417 : 1999 स्वर्णामूषणों की होलमार्किंग

(1)	(2)	(3)	(4)	(5)
15.	8975515	24-10-2008	मैसर्स अनुष्ठान प्लास्टिक प्रा. लि., गंगोत्री के सामने, बाडी-धुर रोड, फेणियों का गुडा, उदयपुर (राजस्थान)	4984 : 1995 हाई डेन्सिटी पोलिथिलीन पाइप्स फॉर पोटैबल वॉटर सप्लायज
16.	8975717	24-10-2008	मैसर्स ऐ, के. इंजीनियरिंग वर्क्स, जी-1, 145, फेज-1, रीको औद्योगिक क्षेत्र, बहरोड, जिला-अलवर (राजस्थान)	8112 : 1989 43 ग्रेड ओपीसी

[सं. सीएमडी/13 : 11]

पी. के. गम्भीर, उपमहानिदेशक (मुहर)

New Delhi, the 23rd December, 2008

S.O. 10.—In pursuance of sub regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulation 1988, the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedule .

SCHEDULE

Sl. No.	Licence No. (CM/L-)	Operative Date	Name and address of the licensees	Article/Process covered by the licences and the relevant IS : Designation
(1)	(2)	(3)	(4)	(5)
1.	8968215	29-09-2008	M/s. J.P. Jewellers Main Choupati, Bhilwara Road, Kankroli, Distt. Rajsamand, Rajasthan	1417 : 1999 Hallmarking of Gold Jewellery
2.	8968316	29-09-2008	M/s. Rathi Polyplast Pvt. Ltd. F-49, Kaladera Industrial Area, Kaladera Distt. Jaipur-303 801 Rajasthan	4985 : 2000 Unplasticized PVC Pipes for Potable Water Supplies
3.	8969015	30-09-2008	M/s. Richa Cables Private Limited F-172-173, Bindayaka Indl. Area Road No. 09, Phase 2, Bindayaka, Distt. Jaipur-302 012, Rajasthan	7098 (Part 1) : 1988 Cross linked Polyethylene Insulated PVC Sheathed Cables
4.	8969520	30-09-2008	M/s. Kumar Electron Private Limited B-3 Data Arcade, Station Road, Alwar, Rajasthan	398 (Part 2) : 1996 ACSR
5.	89689722	03-10-2008	M/s. Priyadarshi Jewellers Temple Road, Naya Gaon, Tehsil : Kherwara, Distt. Udaipur, Rajasthan	1417 : 1999 Hallmarking of Gold Jewellery
6.	8971608	07-10-2008	M/s. Gold Seal Bairathi Bhawan, M.I. Road, Jaipur-302 001, Rajasthan	1417 : 1999 Hallmarking of Gold Jewellery
7.	8971709	07-10-2008	M/s. Rajesh Techno Plast G-109, Kaladera Industrial Area Chomu, Kaladera Distt. Jaipur, Rajasthan	14151 (Part 2) : 1999 Irrigation Equipment-Sprinkler Pipes-Quick Coupled Polyethylene Pipes
8.	8971810	08-10-2008	M/s. Gold Seal Bairathi Bhawan, M.I. Road, Jaipur, Rajasthan	2112 : 2003 Hallmarking of Silver Jewellery

(1)	(2)	(3)	(4)	(5)
9.	8973006	08-10-2008	M/s. Manbhawan Jewellers Sadar Bazar, Kherwara, Udaipur-313 803, Rajasthan	1417: 1999 Hallmarking of Gold Jewellery
10.	8973107	13-10-2008	M/s. Gehna 58, Bada Bazar, Udaipur-313 001 Rajasthan	1417: 1999 Hallmarking of Gold Jewellery
11.	8973208	13-10-2008	M/s. Kohinoor Jewellers Kotiyo Ki Gawadi, New Sarafa Bazar, 15/49 Teliwara (108 Bhamashah Marg), Udaipur-313 001 Rajasthan	1417: 1999 Hallmarking of Gold Jewellery
12.	8974816	16-10-2008	M/s. Rathni Polyplast Pvt. Ltd. F-49, Kaladera Industrial Area, Kaladera Distt. Jaipur-303801, Rajasthan	13592: 1992 UPVC Pipes for Soil and Waste Discharge Systems
13.	8975212	17-10-2008	M/s. Kothari Finalex Limited B-206, Road No. 10, Vishwakarma Industrial Area, Jaipur-302 013, Rajasthan	14151 (Part 2): 1999 Irrigation Equipment-Sprinkler Pipes-Polyethylene Pipes
14.	8975313	22-10-2008	M/s. J.P. & Sons Jewellers Naya Shahar, Near Ghantaghar Sikar-332 001, Rajasthan	1417: 1999 Hallmarking of Gold Jewellery
15.	8975515	24-10-2008	M/s. Anusthan Plastics Pvt. Ltd. Opp. Gangotri Bari-Thur Road, Fariyan Ka Gada, Udaipur, Rajasthan	4984: 1995 High Density Polyethylene Pipes for Potable Water Supplies
16.	8975717	24-10-2008	M/s. A.K. Engineering Works G-1, 145, Phase-I RIICO Industrial Area Behror Distt. Alwar Rajasthan	8112: 1989 43 Grade OPC

[No. CMD/13:11]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 23 दिसम्बर, 2008

का.आ. 11.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उप विनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को आगे दर्शाई तारीख से लाइसेंस स्वीकृत कर दिया गया है :

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत प्रक्रम सम्बन्ध एवं भारतीय मानक सहित	स्वीकृत करने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	8973309	मेसर्स मान इंडस्ट्रीज लिमिटेड प्लॉट नं. 257, बी-258 सेक्टर 1, पथिमपुर, जिला-बार (म. प्र.)	आईएस 3589 : 2001 स्टील पाइप फॉर वाटर एण्ड सीवेज	01-10-2008
2.	8978218	मेसर्स श्री बजरंग पावर एण्ड इस्पात लिमिटेड प्लॉट नं. 173 से 178, ग्राम बोरझारा, उरला गुमा रोड, रायपुर (छ. ग.)	आईएस 2830 : 1992 कार्बन स्टील कास्ट बिलेट इन्गोट, बिलेट्स, बलूम एण्ड स्लैब्स फॉर रि-रोलिंग इन्टू स्टील फॉर जनरल स्ट्रक्चरल्स परपज	01-10-2008

(1)	(2)	(3)	(4)	(5)
3.	8975818	मेसर्स सन्मार्ग इस्पात प्रा. लिमिटेड खसरा नं. 6/1, 6/2, 6/3, 7/1, 7/2, 7/3, एण्ड 7/4 ग्राम गांडवारा, ब्लाक धरसिवा, रायपुर	आईएस 2062 : 2006 स्टील फार जनरल स्ट्रक्चरल्स परपज	16-10-2008
4.	8977115	मेसर्स सौरभ रोलिंग मिल्स प्रा. लिमिटेड ग्राम आचोली, कन्हारा रोड, उरला, रायपुर	आईएस 2830 : 1992 कार्बन स्टील कास्ट बिलेट इन्गोट, बिलेट्स, बलूम एण्ड स्लैब्स फार रि-रोलिंग इनटू स्टील फार जनरल स्ट्रक्चरल्स परपज	16-10-2008
5.	8977216	मेसर्स इंद्र मार्शल ऑइल इंजिन, 13-बी, इंडस्ट्रियल एरिया, सेक्टर-ए, सावेर रोड, इन्दौर	आईएस 6595 भाग 1 : 2006 होरिजेंटल सेन्ट्रीफ्यूगल पम्प	16-10-2008
6.	8979725	मेसर्स कॉन्टिनेन्टल स्टील कार्पोरेशन, जी.ई. रोड, कुम्हारी, दूर्ग, (मध्य प्रदेश)	आईएस 2830 : 1992 कार्बन स्टील कास्ट बिलेट इन्गोट, बिलेट्स, बलूम एण्ड स्लैब्स फार रि-रोलिंग इनटू स्टील फार जनरल स्ट्रक्चरल्स परपज	16-10-2008
7.	8975616	मेसर्स प्रगति केमिकल्स, 177-आई आई डी सी न्यू इण्डस्ट्रियल एरिया, नयागाँव, बीना, जिला विदीशा (मध्य प्रदेश)	आईएस 1065 : 1989 ब्लीचिंग पावडर	17-10-2008
8.	8976416	मेसर्स टाटा स्टील लिमिटेड, (इन्दौर वायर प्लान्ट), किला मैदान के पास, इन्दौर	आईएस 398 (भाग 2) : 1996 अल्युमिनियम कंडक्टर्स	17-10-2008
9.	8975919	मेसर्स अग्रवाल सुपर टिम्बर स्टोर, प्लाट नं. 1-ए, बाराघाटा, इण्डस्ट्रियल एरिया, ग्वालियर (मध्य प्रदेश)	आईएस 2202 (भाग 2) : 1999 बुडन फलस डोअर शटर्स	21-10-2008
10.	8976012	मेसर्स अग्रवाल सुपर टिम्बर स्टोर, प्लाट नं. 1-ए, बाराघाटा, इण्डस्ट्रियल एरिया, ग्वालियर (मध्य प्रदेश)	आईएस 303 : 1989 प्लायवुड फार जनरल परपज	21-10-2008
11.	8978117	मेसर्स ए आर एफ इलेक्ट्रोड्स प्रा. लिमिटेड, सी एस आई डी सी इण्डस्ट्रियल एरिया, अमासिवनी, रायपुर (छत्तीसगढ़)	आईएस 814 : 2004 वेल्डिंग इलेक्ट्रोड्स	22-10-2008
12.	8979826	मेसर्स अग्रवाल स्ट्रक्चर मिल्स प्रा.लि., प्लाट नं. 193/3, 4, 6, 7, 194/2, 195/5, 162ए, उर्ला इण्डस्ट्रियल ग्रोथ सेन्टर, पी.ओ. बिरगांव, रायपुर	आईएस 2830 : 1992 कार्बन स्टील कास्ट बिलेट इन्गोट, बिलेट्स, बलूम एण्ड स्लैब्स फार रि-रोलिंग इनटू स्टील फार जनरल स्ट्रक्चरल्स परपज	22-10-2008
13.	8976719	मेसर्स एस के सरावागी एण्ड कं. प्रा.लि., प्लाट नं. 8 से 41 एण्ड 48 से 52, इण्डस्ट्रियल एरिया, सिलतारा फेस-2, रायपुर	आईएस 2830 : 1992 कार्बन स्टील कास्ट बिलेट इन्गोट, बिलेट्स, बलूम एण्ड स्लैब्स फार रि-रोलिंग इनटू स्टील फार जनरल स्ट्रक्चरल्स परपज	23-10-2008

(1)	(2)	(3)	(4)	(5)
14.	8976820	मेसर्स विरान इस्पात लिमिटेड, प्लॉट नं. 60-63, इण्डस्ट्रियल एरिया, रिछाई, जबलपुर	आईएस 2062 : 2006 स्टील फॉर जनरल स्ट्रक्चरल्स परपज	27-10-2008
15.	8978824	मेसर्स मां मोहामाया रोलिंग मिल्स प्रा. लिमिटेड, 6/2, ग्राम देलारी, जर्मानी के पास, सयगढ़ (छत्तीसगढ़)	आईएस 1786 : 1985 हाई स्ट्रेंथ डीकमिड ब्लाक	30-10-2008
16.	8979927	मेसर्स नन्दन स्टील्स एण्ड पावर लि., सिलवाय इण्डस्ट्रियल एरिया, ग्राम सोन्द्रा, फेस-2, खण्ड नं. 55/1, 55/2, 57/6, 57/3, 57/4, 57/5, 57/12, 57/2, 57/7, रायपुर (छत्तीसगढ़)	आईएस 2830 : 1992 कार्बन स्टील कास्ट बिलेट इन्गोट, बिलेट्स, ब्लूम एण्ड स्लैब्स फॉर प्रि-रोलिंग इन्टू स्टील फॉर जनरल स्ट्रक्चरल्स परपज	31-10-2008

[सं. के प्र/13 : 11]

जी. के. गम्भीर, उपमहानिदेशक (मुहर)

New Delhi, the 23rd December, 2008.

S.O. 11.—In pursuance of sub regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies the grant of licences for the month of October, 2008 particulars of which are given in the following Schedule :

SCHEDULE

Sl. No.	Licence No.	Name and address of the licensee	IS No. and title	Grant Date
(1)	(2)	(3)	(4)	(5)
1.	8973309	M/s Man Industries (I) Limited Plot No. 257-B, 258-B, Sector-1, Pithampur, Dhar (MP)	IS 3589 : 2001 Steel Pipes for Water and Sewage (168.3 to 254.0 mm Outside Diameter) - Specification	01-10-2008
2.	8978218	M/s Shri Bajrang Power and Ispat Limited, Plot Nos. 173 to 178, Village Borjhara, Urla-Guma Road, Raipur.	IS 2830 : 1992 Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	01-10-2008
3.	8975818	M/s Sunmarg Ispat (P) Limited Khasra Nos. 6/1, 6/2, 6/3, 7/1, 7/2 and 7/4, Village Gondwara, Block Dharsiva, Raipur (CG)	IS 2062 : 2006 Steel for General Structural Purposes - Specification	16-10-2008
4.	8977115	M/s Saurabh Rolling Mills Pvt. Limited, Village Achholi, Kanhera Road, Urla, Raipur (CG)	IS 2830 : 1992 Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	16-10-2008
5.	8977216	M/s Indra Marshall Oil Engines In 13-B, Industrial Area, Sector-A, Sanver Road, Indore (MP)	IS 6595 (Part I) : 2006 Horizontal Centrifugal Pumps for Clear, Cold Water - Specification - Part 1 : Agricultural and Rural Water Supply Purposes	16-10-2008

(1)	(2)	(3)	(4)	(5)
6.	8979725	M/s Kontinental Steel Corporation, G.E. Road, Kumhari, District : Durg (CG)	IS 2830 : 1992 Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	16-10-2008
7.	8975616	M/s Pragati Chemicals 177-ITDC New Industrial Area, Naugaon, District : Vidisha (MP)	IS 1065 : 1989 Bleaching Powder, Stable	17-10-2008
8.	8976416	M/s Tata Steel Limited (Indore Wire Plant), Near Kila Maidan, Indore (MP)	IS 398 (Part 2) : 1996 Aluminium conductors for overhead transmission purposes : Part 2, Aluminium conductors, galvanized steel reinforced	17-10-2008
9.	8975919	M/s Agrawal Super Timber Stores, Plot No. 1-A (Part of Plot No. 1), Baraghata Industrial Area, Gwalior (MP)	IS 2202 (Part 2) : 1999 Specification for wooden flush door shutters (solid core type) : Part 1 Plywood face panels	21-10-2008
10.	8976012	M/s Agrawal Super Timber Stores, Plot No. 1-A (Part of Plot No. 1), Baraghata Industrial Area, Gwalior (MP)	IS 303 : 1989 Specification for plywood for general purposes	21-10-2008
11.	8978117	M/s ARF Electrodes Pvt. Limited, CSIDC Industrial Area, Amaseoni, Raipur (CG)	IS 814 : 2004 Covered electrodes for manual metal arc welding of carbon and carbon manganese steel	22-10-2008
12.	8979826	M/s Agrawal Structure Mills (P) Ltd. Khasra Nos. 193/3,4,6,7, 194/2, 195/5, 162A, Urla Industrial Growth Centre, P.O.-Birgaon, Raipur (CG)	IS 2830 : 1992 Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	22-10-2008
13.	8976719	M/s. S. K. Sarawagi and Co. (P) Ltd., Plot Nos. 8 to 41 and 48 to 52, Industrial Area, Siltara, Phase 2, Raipur (CG)	IS 2830 : 1992 Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	23-10-2008
14.	8976820	M/s Vinar Ispat Limited, Plot Nos. 60-63, Industrial Area, Richhai, Jabalpur (MP)	IS 2062 : 2006 Steel for General Structural Purposes - Specification	27-10-2008
15.	8978824	M/s Maa Mahamaya Rolling Mills Pvt. Limited, Raigarh, 6/2, Village Delari, Near Germani (CG)	IS 1786 : 1985 Specification for high strength deformed steel bars and wires for concrete reinforcement	30-10-2008
16.	8979927	M/s Nandan Steels and Power Ltd. Siltara Industrial Area, Village Sondra, Phase II, Khasra Nos. 55/1, 55/2, 57/6, 57/3, 57/4, 57/5, 57/2, 56/2, 57/7, Raipur (CG)	IS 2830 : 1992 Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	31-10-2008

[No. CMD/13:11]

P. K. GAMBHIR, Dy. Director General (Marks)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 28 दिसम्बर, 2008

का.अ. 12.—केंद्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि तामिलनाडु राज्य में सि पि सि एल् (ममालि रिकेनेरी) से मीनाम्पक्कम एयरपोर्ट तक पेट्रोलियम उत्पादनों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए और ऐसा प्रतीत होता है कि ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से ठपावद अनुसूची में वर्णित भूमि में उपयोग के अधिकार का अर्जन आवश्यक है ;

अतः अब, केंद्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम-1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

उक्त अनुसूची में वर्णित भूमि में हितवद् कोई व्यक्ति उस तारीख से, जिसको भारत के राजपत्र में यक्ष प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर, भूमि में उपयोग के अधिकार का अर्जन या भूमि के निचे पाइपलाइन बिछाने के प्रति लिखित रूप से आक्षेप श्री जि. जयराज, सक्षम अधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड ए.टी.एफ. और चेन्नई-बान्नालौर पाइपलाइन परियोजना, सं 10, तिरु-भि-का स्ट्रीट, राजाजिपुरम, तिरुभालुर, तामिलनाडु-602 001 को कर सकेगा ।

अनुसूची

तालूका श्रीपेरम्बुदूर	जिला मद्रास		राज्य तामिलनाडु		
गाँव का नाम	सर्वेक्षण सं-खण्ड सं	उप-खण्ड सं	हेक्टर	एकर	वर्ग मीटर
1	2	3	4	5	6
79, कोलाप्पक्कम	348	2 बी 2	0	6	69
	349	4	0	1	91
	349	3 ए	0	3	72
	349	1 बी	0	4	62
	370	2 बी	0	0	40
	370	1 डी	0	2	65
	370	1 सी	0	1	87
	370	1 बी	0	2	34
	370	1 ए	0	2	58
	370	5 सी	0	4	06

[फा. सं. आर-25011/11/2006-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

Ministry of Petroleum & Natural Gas

New Delhi, the 23rd December, 2008

S. O. 12.— Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum product from CPCL (Manali Refinery) to Meenambakkam Airport in the State of Tamil Nadu a pipeline should be laid by the Indian Oil Corporation Limited, for implementing the Chennai-ATF Pipeline Project.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the Land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (I) of Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Any person interested in the land described in the said Schedule may within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the Right of User therein, or laying of pipeline under the land to Shri.B. Baskaran, Competent Authority, Indian Oil Corporation Limited, ATF & Chennai-Bangalore Pipeline Project, No.10, Thiru-Vi-Ka Street, Rajajipuram, Tiruvallur, Tamilnadu-602 001.

Schedule

Taluk : Sriperumbudur		District : Kanchipuram		State : Tamilnadu	
Name of the Village	Survey No.	Subdivision No.	Hectare	Are	Square Meter.
1	2	3	4	5	6
79, Kolappakkam	348	2B2	0	6	69
	349	4	0	1	91
	349	3A	0	3	72
	349	1B	0	4	62
	370	2B	0	0	40
	370	1D	0	2	65
	370	1C	0	1	87
	370	1B	0	2	34
	370	1A	0	2	58
	370	5C	0	4	06

[F. No. R-25011/11/2008-O.R.-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 23 दिसम्बर, 2008

का.अ. 13.—केंद्रीय सरकार ने भू-देखरेखा और सार्वजनिक अधिकार (अधीन) अधिनियम, 1962 (1962 का 22) की धारा 3 की उप-धारा (1) की अधीन जारी, भारत के राजपत्र, तारीख 24-03-2007 एवम् 27-09-2008 में प्रकाशित भाग अर्जुन के परिशिष्ट और प्रकृतिगत गैस संरक्षण की अधिसूचना का. अ. संख्या 649 तारीख 23-03-2007 एवम् का. अ. संख्या 2710 तारीख 28-09-2008 द्वारा इस अधिनियम से संलग्न अनुसूची संलग्न करने के लिए केंद्र शासित प्रदेश, राज्य कर्नाटक में देवनाहल्ली में देवनाहल्ली एस्टेट देवनाहल्ली तहसील में एस्टेट देवनाहल्ली के परिशिष्ट के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने अधिकार की योजना की की और उक्त राजपत्र अधिसूचना की प्रतियां जनता की तारीख 14-08-2007 एवम् 30-09-2008 उपलब्ध करा दी गई थी ;

और सार्वजनिक अधिकारी ने, उक्त अधिनियम की धारा 8 की उप-धारा (1) के अधीन केंद्रीय सरकार को रिपोर्ट दे दी है;

और केंद्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, इस अधिनियम से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिर्देश किया है;

अतः केंद्रीय सरकार द्वारा अधिनियम की धारा 8 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और केंद्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस योजना से प्रकाश की तारीख से केंद्रीय सरकार ने बिना कोरे के बजाए, सभी विलंगनों से मुक्त लेकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में मिलित होना।

अनुसूची

तालिका : यलहंका		जिला : बेंगलूर अर्जन		राज्य : कर्नाटक	
गाँव का नाम	सर्वे नंबर	हिस्सा नंबर	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6

होबी : जाला

दुम्मानहल्ली	40	-	0	08	20
	41	-	0	36	31

[फा. सं. आर-25011/3/2007-ओ.आर.-1]

एस. के. चिटकारा, अपर सचिव

New Delhi, the 23rd December, 2008

S. O. 13.— Whereas by the notification of the Government of India, in the Ministry of Petroleum and Natural Gas S.O. number 849 dated 23rd March 2007 and 2710 dated 26th September 2008 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), published in the Gazette of India dated 24th March 2007 and 27th September 2008 respectively, the Central Government declared its intention to acquire the right of user in the land in Taluk : Yalahanka, District : Bangalore Urban in the State of Karnataka specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of Aviation Turbine Fuel in the State of Karnataka from Devanagondhi to Bangalore New International Airport, Devanahalli by the Indian Oil Corporation Limited.

And whereas, the copies of the said Gazette Notification were made available to the public on the 14th May 2007 and 30th September 2008;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest from the date of the publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Taluk : Yalahanka		District : Bangalore Urban		State : Karnataka	
Name of the Village	Survey no.	Sub-Division no.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Hobli : Jala					
DHUMMANAHALLI	40	-	0	08	20
	41	-	0	36	31

[F.No. R-25011/3/2007-O.R.-I]
S. K. CHITKARA, Under Secy.

2008, December 30th

the Central Government hereby declares its intention to acquire the right of user therein; Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1982 (50 of 1982). Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the

अनुसूची									
राज्य	जिला	तहसील	गाँव	हववस्त सं०	मुस्तील सं०	खसरा / किला सं०	क्षेत्रफल		
1	2	3	4	5	6	7	हेक्टेयर	एयर	वर्गमीटर
दिल्ली	पश्चिमी दिल्ली	पटेल नगर	नवादा			1	00	07	59
						2	00	00	42
						3	00	08	43
						4	00	01	26
दिल्ली	पश्चिमी दिल्ली	पटेल नगर	रजापुर खुर्द		23	10	00	00	84
दिल्ली	पश्चिमी दिल्ली	पंजाबी बाग	बापरोला		42	2	00	08	85
						1	00	00	42
						9	00	08	43
						8	00	05	88
						13	00	13	91
						14	00	00	84
						18	00	00	42
						17	00	13	49
						24	00	05	88
						25	00	08	85
					66	5	00	04	64
				रेन	69	00	00	15	59

[फा. सं. आर-25011/4/2008-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 30th December, 2008

S. O. 14.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of Petroleum products, from Bijwasan in the NCT of Delhi to Panipat in the State of Haryana, a pipeline should be laid by the Indian Oil Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land, to Shri Azad Singh, Land Acquisition officer & Competent Authority (Delhi) Indian Oil Corporation Limited, Northern Region Pipelines, Kapashera - Najafgarh Road, Bijwasan, New Delhi-110061.

SCHEDULE

State	District	Tehsil	Village	Hasht No.	Mushal No.	Khasra/ Khilla No.	Acct.	Area	Sq. mtr.
1	2	3	4	5	6	7	8	9	10
Delhi	West Delhi	Patel nager	Nawada			1M	00	07	59
						2	00	00	42
						3	00	08	43
						4	00	01	26
Delhi	West Delhi	Patel nager	Rajapur Khurd				00	00	84
Delhi	West Delhi	Ranjit baug	Bapoda		42		00	08	85
							00	00	42
							00	00	43
						8	00	05	88
						13	00	13	91
						14	00	00	84
						18	00	00	42
						17	00	13	49
						24	00	05	88
						25	00	08	85
						66	00	04	84
						69	00	15	89

[F. No. R-25011/4/2008-O.R.-I]

S. K. CHITKARA, Under Secy.

and 2 support management's case. Of course they are victims of the incident. Exts. M1 to M7 are log book and work permits. They also reveal that the work got delayed. As per standing order No. 29-12 stoppage of work against company rules is a misconduct. The evidence shows that the workman had instigated others to agitate.

9. The next allegation against the workman is that MW1 and 2 were surrounded, blocked, detained and abused. MW1 and 2 alone were examined on the management side. They say that when they reached the work assignment spot they were surrounded and blocked by workers at the leadership of the workman. They demanded immediate explanation regarding show-cause notices issued to four employees on the previous day. MWs1 and 2 invited two of the employees to the room for discussion. But the workman refused and they wanted an explanation then and there. When MW1 attempted to explain the workman shouted at MWs1 and 2 and abused them in filthy words. The witnesses have narrated the abusive words which are recorded at page 39 and 59 of enquiry proceedings. DWs. 1 to 3 denied having abused the officers. But it is relevant to note the averments in para 3 of the claim statement that the workers had questioned the officers regarding show cause notice and due to that the job allocation work had got delayed by 1/2 an hour and that there was exchange of words between officers and workers.

10. It is in the background of this admission in the claim statement that the incident has to be viewed. The workers were in an agitated mood. There were 27 workers. All of them together at the leadership of the workman had questioned the two officers. The statement of DWs. 1 to 3 before the Enquiry Officer is inconsistent with the averments in the claim statement. The union has not been able to show that MWs. 1 and 2 had any motive to bring the workman to book. The incident as alleged by the management had happened in the morning on 23-09-1995. Except the use of abusive language and detention of officers, the rest of the incident is admitted in para-3 of the claim statement. Considering the entire circumstances, the agitated mood of the workers and the admission that there was some exchange of words, the version of MW1 and 2 that they were abused, cannot be brushed aside. Ext. DE1 is reply to the show-cause notice issued to the workman and Ext. M9 is a letter sent to MW2 by the workman. In both he has denied the allegations in toto. It is stated that he had not even gone to the spot where job allocation was being done by MW1 and 2. But his testimony in the enquiry (DW1) is different. He says that on 23-9-1995 while he was waiting for vehicle for going to the workspot, he heard a noisy talk among the workers at the work allocation spot. Anxious to know what was the talk about, he went there

and sat on a bench. This version together with the pleading in para-3 of the claim statement belie the case of the worker in Exts. DE1 and M-9. The circumstances and evidence on management side prove that the allegations are true. The Enquiry Officer has held the workman guilty based on sufficient materials on record. There is no reason to interfere with the findings.

11. Point No. 2 :—The punishment awarded is withholding of three increments with cumulative effect. Ex. M8 is standing orders of Cochine Refineries Limited. The acts of misconduct are contained in orders 29-1- to 29-53 and punishments are continued in order No. 30-1. Order No. 29-12 is regarding stoppage of work in violation of Company's Rules and Regulations. Order No. 29-14 is regarding surrounding, blocking or detaining the company officers. Order No. 29-16 is regarding use of impolite or insulting language against a supervisor or any other employee. The punishment for misconduct are enumerated in order 30-1(a) to (e). The relevant provision is (e) which reads: "any other punishment the company deems as just and necessary". This provision is invoked for imposing the penalty of withholding three annual increments with cumulative effect. The punishment imposed being not a dismissal or discharge falling within Section 11-A of Industrial Disputes Act, this court cannot interfere with the punishment except for violation of any of the provisions of standing orders of the company or any other provision of law. Whatever be the past record of service of the workman this court has no power to alter the punishment other than falling within Section 11-A of I.D. Act.

In the result, an award is passed finding that the action of the management in imposing the the penalty of withholding of three annual increments with cumulative effect is legal and justified and the workman is not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 3rd day of October, 2008.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Union	-	Nil
Witness for the Management	-	Nil
Exhibits for the Union	-	Nil
Exhibit for the management		
M1- 10-10-1995	-	Enquiry File.

नई दिल्ली, 5 दिसम्बर, 2008

का. आ. 16.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एवं एस.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ सं. 33/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05-12-2008 को प्राप्त हुआ था।

[सं. एल-22012/284/2006-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 5th December, 2008

S.O. 16.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 33/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure, in the Industrial Dispute between the management of M/s Singareni Collieries Co. Ltd. and their workmen, which was received by the Central Government on 5-12-2008.

[No. L-22012/284/2006-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD

PRESENT : Shri Ved Prakash Gaur, Presiding Officer

(Dated the 14th day of October, 2008)

INDUSTRIAL DISPUTE No. 33/2007

BETWEEN

The General Secretary
(Sri Riyaz Ahmed),
Singareni Mines & Engg.
Workers Union (HMS),
Qtr. No. C-34, Sector-1, Godavarikhani
Karimnagar (Andhra Pradesh) 505209 Petitioner
And

The General Manager
M/s. Singareni Collieries Company
Limited, Chennai 1 & 1A Inolines,
Sreerampur Area, Sreerampur Respondent

APPEARANCES

For the Petitioner : M/s. A. Sarojana & K.
Vasudeva Reddy, Advocates

For the Respondent : Sri S.M. Subhani, Advocate

AWARD

The Government of India, Ministry of Labour by its Order No. L-22012/284/2006-IR (CM-II) dated 5-7-2007 referred the following dispute under Section 10(1) (d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Singareni Collieries Company Limited and their workman. The reference is :—

SCHEDULE

"Whether the action of the management of Singareni Collieries Company Limited, in imposing the penalty of reversion to lower grade i.e. from the post of Senior Mining Sirdar Grade 'A' (SLU) to the post of Shot Firer Grade 'C' w.e.f. 1-9-2005 in respect of Sri Beesakonda Ramulu is legal and justified? If not, to what relief the workman is entitled?"

The reference is numbered in this Tribunal as I.D. No. 33/2007 and notices were issued to the parties.

2. Both parties filed vakalat. Adjournment given for filing claim statement and documents. On 14-10-2008 no proceeding from Petitioner's side. As nothing is on record to proceed in this case, a NIF Award is passed, Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her, corrected by me on this the 14th day of October, 2008.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Nil
Petitioner

Witnesses examined for the Nil
Respondent

Documents marked for the Petitioner

Nil

Documents marked for the Respondent

Nil

नई दिल्ली, 8 दिसम्बर, 2008

का. आ. 17.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. भारत संचार निगम लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, एनकुलम (कोचीन) के पंचाट (संदर्भ सं. 154/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-2008 को प्राप्त हुआ था।

[सं. एल-40012/21/2005-आई आर (डी.यू.)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 8th December, 2008

S.O. 17.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 154/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam (Cochin), as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Ltd. and their workman, which was received by the Central Government on 8-12-2008.

[No. L-40012/21/2005-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

**IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
ERNAKULAM**

Present : Shri P. L. Norbert, B.A., LL.B., Presiding
Officer

(Friday the 28th day of November 2008/7th Agrahayana, 1930)

I. D. No. 154 of 2006

(I. D. No. 25/2005 of Industrial Tribunal, Kollam)

- | | |
|------------|--|
| Union | : The General Secretary,
Thiruvananthapuram Jilla General
Mazdoor Sangham, Fort,
Thiruvananthapuram,
Kerala-695023 |
| | : By Adv. Sri Anil Narayanan. |
| Management | : The Chief General Manager,
BSNL Kerala Circle,
PMG Junction, Trivandrum-695033 |
| | : By Adv. Sri. C.S. Ramanathan. |
| | 2. Sri. A. Suuresh Contractor,
TC 14/403, Extra Police Road,
Palayam, Trivandrum. |
| | 3. Ms. Aleyamma,
Self Employed Women's
Association, 'Murali', KRAD/51,
Kunnumpuram, Trivandrum-695001. |
| | : By Adv. R. Ram Mohan. |

This case coming up for hearing on 28-11-2008, this Tribunal-cum-Labour Court on the same day passed the following:

AWARD

This is a reference under Section 10(1) (d) of Industrial Disputes Act claiming regularisation of 11 contract labourers in B.S.N.L.

2. The parties entered appearance and filed their pleadings. There after the union has been taking time to adduce evidence. Today the case was posted for the evidence of the union with a direction that no further time will be allowed. But the union as well as the counsel are absent. There is no representation also for the union. The management is present. The reference was made in 2005. Union does not appear to be interested in the matter. Therefore, it has to be presumed that there is no existing dispute for adjudication.

In the result, an award is passed finding that the contract for sweeping, cleaning and scavenging work is a genuine contract and the 11 contract workers in the list appended to the reference are not entitled for regularisation in B.S.N.L. and they are also not entitled for any other relief.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 28th day of November, 2008.

Appendix : Nil

P. L. NORBERT, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 2008

का.आ. 18.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय लखनऊ के पंचाट (संदर्भ संख्या 119/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-2008 को प्राप्त हुआ था।

[सं. एल-40012/74/2004-आई आर(डी यू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 12th December, 2008

S.O. 18 .—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 119/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited and their workman, which was received by the Central Government on 12-12-2008.

[No. L-40012/74/2004-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT

Shri N. K. Purohit, Presiding Officer

I. D. No. 119/2004

Ref. No. L-40012/74/2004-IR(DU) dated: 29-10-2004

BETWEEN

Shri Laxmi Prasad S/o Sh. Pardeshi Sahani R/o
 Kharbujiah, Post: Rampur Brah Koni Bazar Distt. Sant
 Kabir Nagar (U.P.)

AND

1. The Telecom District Manager,
 Telecom Deptt. BSNL,
 Bahraich.

2. The Chief General Manager,
 Telecommunication, East, Lucknow/The Principal
 General Manager, Pee Kay Bhawan,
 Lucknow-226001.

AWARD

5-12-2008

1. By Order No. L-40012/74/2004-IR (DU) dated, 29-10-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred following industrial dispute between Shri Laxmi Prasad S/o Sh. Pardeshi Sahani, R/o Kharbujiah, Post Rampur Brah-Koni Bazar, Distt. Sant Kabir Nagar (U.P.) and the Telecom District Manager, Telecom Deptt. BSNL, Bahraich and the Chief General Manager, Telecommunication, East, Lucknow/The Principal General Manager, Pee Kay Bhawan, Lucknow for adjudication:

The reference under adjudication is as under:

"Whether the action of the management of BSNL, Behraich in terminating Sh. Laxmi Prasad, Daily Wager w.e.f. 31-7-2001 is legal and justified? If not, to what relief the workman is entitled?"

2. The Case of the workman is short is that the workman was engaged by the management of BSNL, in August, 1998 as a daily wages casual labourer (Class IV post) in serious exigency of departmental work and since then he was working on the said post and has worked for more than 240 days in the preceding year. The workman has alleged that the management of the BSNL has orally terminated its services w.e.f. 31-7-2001 without any valid reason is absolutely illegal, arbitrary, malafied and discriminatory manner without affording any opportunity of hearing. The workman has further stated that in absence

of regular appointments, the Telecom department has been engaging daily wages casual labourers from time to time to meet the exigency of the work. The workman alleges that he has not been given temporary status even after being recommended for the same, whereas the Department has granted temporary status and consequential benefits to similarly situated daily rated casual labour w.r.t. Memo No. I 17/Ch II/TDM BRH/Casual Labour/II dated 18-7-2000 of Department of Telecommunications, Office of the Telecom District Manager, Bahraich. The Workman has also alleged that the management of BSNL has violated various provisions of the Industrial Disputes Act, 1947 i. e. Section 25 N for non-conduction of any inquiry against him or service of any charge sheet, as well as for non-payment of any notice pay or retrenchment compensation; Section 25 G for retaining and continuing juniors in service; and Section 25 H for engaging new persons without affording any opportunity to the workman for employment. Thus, the workman has prayed that the management of BSNL be directed to consider the case of the workman, to take him back in service with back wages, to provide the workman temporary status with consequential benefits and to provide bonus.

3. The management of the BSNL, in its written statement, has disputed the claim of the workman and has submitted that it never engaged the workman in any capacity in the year August 1998 or subsequently, hence, there arise no question of having completed 240 days of service or alleged oral termination or of violation of any of the provisions of the Industrial Disputes Act, 1947 at all. The management has mentioned that it has Service Rules and Recruitment Rules and all appointments are made strictly in accordance with those Rules and the workman is liable to put strict proof in support of his claim i. e. to submit his appointment letter, details of payments and other relevant documents in support of his claim. In this regard the management has pointed out that there was a complete ban on engagement of fresh Casual Labourers/ Daily Wagers in the Department w.e.f. 12-6-1998. The management of BSNL has submitted that earlier the Casual Labourers were engaged on muster roll, but consequent to ban on engagement of Casual Labourers/ Daily Wagers w.e.f. June, 1998 no fresh labourers has been engaged on muster roll and also, the labourers who were earlier working on muster roll and were covered under grant of temporary status and regularization scheme have been granted temporary status. The case of the workman does not fall within that category because he was never engaged by the management in any capacity altogether. Thus, the management has prayed that the claim of the workman be rejected being incorrect and misconceived since he was never engaged or appointed in the management of BSNL in any capacity.

4. The workman has filed rejoinder which is unsigned, whereby it has only reiterated her averments in the statement of claim and has not introduced any new fact.

5. The worker has filed photocopies of certain documents, less any appointment order, with his statement of claim, in support of his case whereas the management has not filed any documents with its written statement, although it has disputed the authenticity of the photo copy of the documents filed by the workman. The workman did not adduced any evidence in support of his case inspite of several opportunities, consequently, the case was proceeded ex-parte against him and the management was directed to file its evidence. The management in compliance filed affidavit of Shri Ram Charan, Divisional Engineer (HQ) in support of their case. Since the workman did not turn up to cross-examine the management's witness, the case was fixed for arguments. The management filed its written arguments whereas the workman once again did not turn up either for oral arguments or for filing written arguments, hence after allowing ample opportunity to the workman for arguments the case was reserved for award.

6. Heard the arguments of the representative of the management and perused evidence on record.

7. The workman Shri Laxmi Prasad neither examined himself as witness nor produced any documentary and oral evidence in support of his claim. Whereas, the management has submitted affidavit of Sri Ram Charan, Divisional Engineer, Office of Telecom District Manager, Bahraich as witness in support of its contentions in the written statement. Sri Ram Charan has stated that no post or vacancy of class IV was available in the department. No such vacancy was notified either in the newspaper or notice board and no appointment procedure was ever held. The workman was neither appointed on class IV post nor was engaged as daily wager in 1998 as claimed by him and no order was passed for appointment of the workman by the competent authority of the department. No employer employee relationship existed between the employer and the workman. He has also stated that Sub Divisional Officer was not competent to engage any daily wager. He has alleged that the entire claim of the workman is fabricated and concocted. In spite of opportunity provided, the workman, did not availed the opportunity to cross-examine the above witness.

8. It is well settled that if a party challenges the legality of order the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the court must fail. In the present case burden was on the workman to set out the grounds to challenge the validity of the termination order and to prove the termination order was illegal; but the workman did not appear for evidence nor produced any other documentary evidence with the result that there is no material in rebuttal of the management evidence. It was the case of the workman that he had worked for more than 240 days in the year concerned. This claim has been denied by the management therefore, it was for the workman to lead evidence to show that he had in fact worked upto 240 days in the year

preceding his alleged termination. In (2002) 3 SCC 25 Range Forest Officer vs S. T. Hadimani the Hon'ble Apex court has observed as under;

"It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that can not be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact, worked for 240 days or order or record of appointment or engagement for that period was produced by the workman. On this ground alone, the award is liable to be set aside."

9. Analyzing its earlier decisions on the aforesaid point Hon'ble Apex court has observed in 2006 (108) FLR 213 R. M. Yellatti and Asstt. Executive Engineer as follow;

"It is clear that the provisions of the Evidence Act in terms do not apply to the proceedings under Section 10 of the Industrial Disputes Act. However, applying general principles and on reading the aforesaid judgements we find that this Court has repeatedly taken the view that the burden of proof is on the claimant to show that he had worked 240 days in a given year. This burden is discharged only upon the workman stepping in the witness box. This burden is discharged upon the workman adducing cogent evidence, both oral and documentary. In cases of termination of services of daily wages earner, there will be no letter of appointment or termination. There will also be no receipt or proof of payment. Thus most cases, the workman (claimant) can only call upon the employer to produce before the Court the nominal muster roll for the given period, the letter of appointment or termination, if any, the wage register, the attendance register etc. Drawing of adverse inference ultimately would depend thereafter on facts of each case. The above decisions however make it clear that mere affidavits or self serving statements made by the claimant/workman will not suffice in the matter of discharge of the burden placed by law on the workman to prove that he had worked for 240 days in a given year. The above judgements further lay down that mere non production of muster rolls per se without any plea of suppression by the claimant workman will not be the ground for the Tribunal to draw an adverse inference against the management.

10. In the present case the workman has even not stated on oath that he had worked for 240 days. No documents in support of the said plea has been produced. Merely pleading in her statement of claim are no proof. Initial burden of establishing the fact of continuous work

for 240 days in a year was on the workman but he has failed to discharge the above burden, therefore, in view of the aforesaid legal position there is no material for recording findings that the workman had worked more than 240 days in the preceding year of his termination and the alleged unjust or illegal order of termination was passed by the management.

11. Accordingly, the dispute referred by the Govt. of India cannot be answered in favour of the workman, Shri Laxmi Prasad and he would not be entitled to any relief.

12. Award as above.

Lucknow N. K. PUROHIT, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 2008

का.आ. 19.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसরণ में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय लखनऊ के पंचाट (संदर्भ संख्या 108/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-2008 को प्राप्त हुआ था।

[सं. एल-40012/44/2004-आई आर (डी. व्ही.)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 12th December, 2008

S.O. 19.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 108/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited and their workmen, which was received by the Central Government on 12-12-2008.

[No. L-40012/44/2004-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW PRESENT

Shri N. K. Purohit, Presiding Officer

I. D. No. 108/2004

Ref. No. L-40012/44/2004-IR(DU) dated: 05-10-2004

BETWEEN

Smt. Premlata W/o Sh. Ram Murti, R/o Vill. and Post, Gyaghat, Tehsil Nanpara, Behraich-271865

AND

1. The Telecom District Manager,
Telecom Deptt. BSNL
Behraich-271865

2. The Chief General Manager,

Telecommunication, East, Lucknow/The Principal General Manager, Pee Kay Bhawan Lucknow-226001.

AWARD

3-12-2008

1. By Order No. L-40012/44/2004-IR (DU) dated 5-10-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred following industrial dispute between Smt. Premlata W/o Sh. Ram Murti, R/o Vill. and Post Gyaghat, Tehsil Nanpara, Behraich and the Telecom District Manager, Telecom Deptt. BSNL, Behraich & The Chief General Manager, Telecommunication, East, Lucknow/The Principal General Manager, Pee Kay Bhawan, Lucknow for adjudication:—

The reference under adjudication is as under:

"Whether the action of the management of Bharat Sanchar Nigam Ltd., Behraich in terminating Smt. Premlata W/o Sh. Ram Murti, Daily Labour w.e.f. 31-7-2001 is legal and justified? If not, to what relief the workman is entitled?"

2. The Case of the workman in brief is that the workman was engaged by the management of BSNL, in August, 1998 as a daily wages casual labourer (Class IV post) in serious exigency of departmental work and since then she was working on the said post and has worked for more than 240 days in the preceding year. The workman has alleged that the management of the BSNL has orally terminated its services w.e.f. 31-7-2001 without any valid reason. It is absolutely illegal, arbitrary, malafied and discriminatory manner without affording any opportunity of hearing. The workman has further stated that in absence of regular appointments, the telecom department has been engaging daily wages casual labourers from the time to time to meet the exigency of the work. It is alleged by the workman that she has not been given temporary status even after being recommended for the same, whereas the Department has granted temporary status and consequential benefits to similarly situated daily rated casual labour w.r.t. Memo No. I 17/Ch II/TDM BRH/Casual Labour/II dated 15-7-2000 of Department of Telecommunications, Office of the Telecom District Manager, Behraich. The Workman has also alleged that the management of BSNL has violated various provisions of the Industrial Disputes Act, 1947 i.e. Section 25 F for non-conducting of any inquiry against him or service of any charge sheet, as well as for non-payment of any notice pay or retrenchment compensation, Section 25 G for retaining and continuing persons in service, and Section 25 H for engaging new persons without affording any opportunity to the workman for employment. Thus, the workman has prayed that the management of BSNL be directed to consider the case of the workman to take him back in service with back wage, to provide the

workman temporary status with consequential benefits and to provide bonus.

3. The management of the BSNL, in its written statement, has disputed the claim of the workman and has submitted that it never engaged the workman in any capacity in the year August 1998 or subsequently, hence, there arise no question of having completed 240 days of service or alleged oral termination or of violation of any of the provisions of the Industrial Disputes Act, 1947 at all. The management has mentioned that it has Service Rules and Recruitment Rules and all appointments are made strictly in accordance with those Rules and the workman is liable to put strict proof in support of his claim i. e. to submit his appointment letter, details of payments and other relevant documents in support of his claim. In this regard the management has pointed out that there was a complete ban on engagement of fresh Casual Labourers/ Daily Wagers in the Department w.e.f 12-6-1998. The management of BSNL has submitted that earlier the Casual Labours were engaged on muster roll, but consequent to ban on engagement of Casual Labours/ Daily Wagers w.e.f June, 1998 no fresh labour has been engaged on muster roll and also, the labourers who were earlier working on muster roll and were covered under grant of temporary status and regularization scheme have been granted temporary status. The case of the workman does not fall within that category because she was never engaged by the management in any capacity altogether. Thus, the management has prayed that the claim of the workman be rejected being incorrect and misconceived since he was never engaged or appointed in the management of BSNL in any capacity.

4. The workman has filed rejoined whereby it has only reiterated her averments in the statement of claim and has not introduced any new fact.

5. The worker has filed photocopies of certain documents, less any appointment order, with his statement of claim, in support of his case whereas the management has not filed any documents with its written statement, although it has disputed the authenticity of the photo copy of the documents filed by the workman. The workman did not adduced any evidence in support of his case inspite of several opportunities, consequently, the case was proceeded ex-parte against him and the management was directed to file its evidence. The management in compliance filed affidavit of Shri Ram Charan, Divisional Engineer (HQ) in support of their case. Since the workman did not turn up to cross-examine the management's witness, the case was fixed for arguments. The management filed its written arguments whereas the workman once again did not turn up either for oral arguments or for filing written arguments, hence after allowing ample opportunity to the workman for arguments the case was reserved for award.

6. Heard the arguments of the management and perused evidence on record.

7. The workman Smt. Prem Lata neither examined herself as witness nor produced and documentary and oral evidence in support of his claim. Whereas, the management has submitted affidavit of Sri Ram Charan, Divisional Engineer, Office of Telecom District Manager, Bahraich as witness in support of its contentions in the written statement. Sri Ram Charan has stated that no post or vacancy of class IV was available in the department. No such vacancy was notified either in the newspaper or notice board and no appointment procedure was ever held. The workman was neither appointed on class IV post nor was she engaged as daily wager in 1998 as claimed by him and no order was passed for appointment of the workman by the competent authority of the department. No employer employee relationship existed between the employer and the workman. He has also stated that Sub Divisional Officer was not competent to engage any daily wager. He has alleged that the entire claim of the workman is fabricated and concocted. In spite of opportunity provided, the workman, did not availed the opportunity to cross-examine the above witness.

8. It is well settled that if a party challenges the legality of order the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the court must fail. In the present case burden was on the workman to set out the grounds to challenge the validity of the termination order and to prove the termination order was illegal; but the workman did not appear for evidence nor produced any other documentary evidence with the result that there is no material in rebuttal of the management evidence. It was the case of the workman that he had worked for more than 240 days in the year concerned. This claim has been denied by the management therefore, it was for the workman to lead evidence to show that she had in fact worked upto 240 days in the year preceeding his alleged termination. In (2002) 3 SCC 25 Range Forest Officer vs. S. T. Hadimani the Hon'ble Apex court has observed as under;

"It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that can not be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact, worked for 240 days or order or record of appointment or engagement for that period was produced by the workman. On this ground alone, the award is liable to be set aside."

9. Analyzing its earlier decisions on the aforesaid point Hon'ble Apex court has observed in 2006 (108) FLR 213 R. M. Yellatti and Asstt. Executive Engineer as follow;

"It is clear that the provisions of the Evidence Act in terms do not apply to the proceedings under section

10 of the Industrial Disputes Act. However, applying general principles and on reading the aforesaid judgements we find that this Court has repeatedly taken the view that the burden of proof is on the claimant to show that he had worked 240 days in a given year. This burden is discharged only upon the workman stepping in the witness box. This burden is discharged upon the workman adducing cogent evidence, both oral and documentary. In cases of termination of services or daily wages earner, there will be no letter of appointment or termination. There will also be no receipt or proof of payment. Thus most cases, the workman (claimant) can only call upon the employer to produce before the Court the nominal muster roll for the given period, the letter of appointment or termination, if any, the wage register, the attendance register etc. Drawing of adverse inference ultimately would depend thereafter on facts of each case. The above decisions however make it clear that mere affidavits or self serving statements made by the claimant/ workman will not suffice in the matter of discharge of the burden placed by law on the workman to prove that he had worked for 240 days in a given year. The above judgements further lay down that mere non production of muster rolls per se without any plea of suppression by the claimant workman will not be the ground for the Tribunal to draw an adverse inference against the management."

10. In the present case the workman has even not stated on oath that she had worked for 240 days. No documents in support of the said plea has been produced. Merely pleading in her statement of claim are no proof. Initial burden of establishing the fact of continuous work for 240 days in a year was on the workman but she has failed to discharge the above burden, therefore, in view of the aforesaid legal position there is no material for recording findings that the workman had worked more than 240 days in the preceding year and the alleged unjust or illegal order of termination was passed by the management.

11. Accordingly, the dispute referred by the Govt. of India cannot be answered in favour of the workman Smt. Premata and he would not be entitled to any relief.

12. Award as above

Lucknow N. K. PUROHIT, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 2008

का.आ. 20.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचक में, केन्द्रीय सरकार एवं सी. पी. डब्ल्यू. डी. के प्रबंधन के संघर्ष नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2 नई दिल्ली के संज्ञा (संदर्भ संख्या 143/2004)

को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-2008 को प्राप्त हुआ था।

[सं. पं. 42012/317/2003-आई आर सी एम- II]]

अजय कुमार गौर, डेस्क अधिकारी

New Delhi, the 12th December, 2008

S.O. 20.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 143/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of Central Public Works Department, and their workman, received by the Central Government on 12-12-2008.

[No. L-42012/317/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. II
RAJENDRA BHAWAN,

RAJENDRA PLACE, NEW DELHI

L.D. No. 143/04

Dated: 2-12-08

In the matter of dispute between:

Sh. Dhiraaj Pal Singh,

s/o Sh. Bikram Pal Singh,

Through The All India CPWD (MRM) Karamchari

Sangathan,

4827 Balbir Nagar, Extension,

Gali No. 13, Shahadara,

Delhi-110032

.....Workman

Versus

The Executive Engineer,

Central Public Works Department,

Air conditioning Division-2,

Vidya Bhawan, New Delhi

.....Management

AWARD

The Central Government Ministry of Labour vide Order No. L-40012/317/2003-IR (CM-II) dated 19.8.2004 has referred the following industrial dispute to this Tribunal for adjudication:

"Whether the contract between the management of CPWD and their contractor is sham and whether the demand of All India CPWD (MRM) Karamchari Sangathan for regularization of the services of Shri Dhiraaj Pal Singh s/o Shri Bikram Pal Singh, Electrician in the organization of CPWD is legal and justified? If yes, to what relief he is entitled?"

Today was last opportunity granted to the workman for filing his affidavit for filing rejoinder and affidavit. However, the workman is not attending the court for the last so many dates of hearing. It appears that the workman is not interested in the outcome of this reference anymore. Under these circumstances there is no option but to pass a no dispute award in this case. I order accordingly and no dispute award is passed in this case. File be consigned to record room.

SATNAM SINGH, Presiding Officer

Dated : 2-12-08

नई दिल्ली, 12 दिसम्बर, 2008

का.आ. 21.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं सी. पी. डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 146/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-2008 को प्राप्त हुआ था।

[सं. एल-42012/316/2003-आई आर(सी एम- II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th December, 2008

S.O. 21.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 146/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of Central Public Works Department, and their workman, received by the Central Government on 12-12-2008.

[No. L-42012/316/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. II,

RAJENDRA BHAWAN,
RAJENDRA PLACE, NEW DELHI

I. D. No. 146/04

Dated: 2-12-2008

In the matter of dispute between :

Sh. Kashi Ram,
S/o Sh. Prem Chand,
Through the All India CPWD (MRM) Karamchari
Sangathan,
4827 Balbir Nagar Extension,
Gali No. 13, Shahadara,
Delhi-110032

Workman

Versus

The Executive Engineer,
Central Public Works Department,
Air-conditioning Division-2,
Vidyut Bhawan, New Delhi.

Management

AWARD

The Central Government Ministry of Labour vide Order No. L-42012/316/2003-IR (CM-II) dated 20-8-2004 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the contract between the management of CPWD and their contractor is sham and whether the demand of All India CPWD (MRM) Karamchari Sangathan for regularization of the services of Shri Kashi Ram S/o Shri Prem Chand, A.C. Operator in the organization of CPWD is legal and justified? If yes, to what relief he is entitled?"

Today was last opportunity granted to the workman for filing his affidavit for filing rejoinder and affidavit. However, the workman is not attending the court for the last so many dates of hearing. It appears that the workman is not interested in the outcome of this reference anymore. Under these circumstances there is no option but to pass a no dispute award in this case. I order accordingly and no dispute award is passed in this case. File be consigned to record room.

SATNAM SINGH, Presiding Officer

Dated : 2-12-2008

नई दिल्ली, 12 दिसम्बर, 2008

का.आ. 22.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं सी. पी. डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 144/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-2008 को प्राप्त हुआ था।

[सं. एल-42012/315/2003-आई आर(सी एम- II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th December, 2008

S.O. 22.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 144/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of Central Public Works Department, and their workman, received by the Central Government on 12-12-2008.

[No. L-42012/315/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

**ANNEXURE
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. II,
RAJENDRA BHAWAN,
RAJENDRA PLACE, NEW DELHI**

I. D. No. 144/04

Dated: 2-12-2008

In the matter of dispute between :

Sh. S. N. Sharma,
S/o Sh. Ram Chander Sharma,
Through the All India CPWD (MRM) Karamchhari
Sangathan,
4827 Balbir Nagar Extension,
Gali No. 13, Shahadara,
Delhi-110032.

Workman

Versus

The Executive Engineer,
Central Public Works Department,
Air-conditioning Division-2,
Vidyut Bhawan, New Delhi.

Management

AWARD

The Central Government Ministry of Labour vide Order No. L-42012/315/2003-IR (CM-II) dated 19-8-2004 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the contract between the management of CPWD and their contractor is sham and whether the demand of All India CPWD (MRM) Karamchhari Sangathan for regularization of the services of Shri S.N. Sharma S/o Shri Ram Chander Sharma, Electrician in the organization of CPWD is legal and justified? If yes, to what relief he is entitled?"

Today was last opportunity granted to the workman for filing his affidavit for filing rejoinder and affidavit. However, the workman is not attending the court for the last so many dates of hearing. It appears that the workman is not interested in the outcome of this reference anymore. Under these circumstances there is no option but to pass a no dispute award in this case. I order accordingly and no dispute award is passed in this case. File be consigned to record room.

SATNAN SINGH, Presiding Officer

Dated: 2-12-2008.

नई दिल्ली, 12 दिसम्बर, 2008

क्र.आ. 23.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार एवं जवाहर

नवोदय स्कूल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, पोर्टब्लेयर के पंचाट (संदर्भ संख्या 22/2003) को प्रस्तुत करती है, जो केन्द्रीय सरकार को 12-12-2008 को प्राप्त हुआ था।

[सं एल-42012/197/2002-आई (आर) (सी एम- II)]

अवध कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th December, 2008

S.O. 23.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 22/2003) of the Industrial Tribunal, Port Blair as shown in the Annexure in the Industrial Dispute between the management of Jawahar Navodaya Vidyalaya, and their workman, received by the Central Government on 12-12-2008.

[No. L-42012/197/2002-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**IN THE COURT OF THE PRESIDING OFFICER
LABOUR COURT**

ANDAMAN AND NICOBAR ISLANDS

Present : Mir Dara Shoko, Presiding Officer Labour
Court, Port Blair.

I.D. Case No. 22 of 2003.

Shri Pandeep Lakra, Workman First Party
Keraus Second Party

The Principal,
Jawahar Navodaya Vidyalaya,
Panchawati, Rangat,
Middle Andaman, Second Party

Date of Delivery of Judgement :

Monday, the 18th day of August, 2008

JUDGEMENT

The instant case is a reference under Section 1 of Section 10 r.w. (5) of Section 12 and sub-section (2-A) of Section 10 of the Industrial Dispute Act, 1947 made to this Industrial Tribunal by the order of Desk Officer, Government of India, Ministry of Labour by his order dated 11-3-2003 for its adjudication presumably due to the reason of existence of Industrial Dispute between the parties and so

the reference is to be adjudicated on the following point :—

1. Whether the action of the Management of Jawahar Navodaya Vidyalaya, Panchawati, Middle Andaman in refusing employment of First Party, Pradeep Lakra is legal and justify? If not, to what other relief he is entitled too?

DECISION WITH REASONS

The representative of the First Party in the tune of his submission of demand submitted that the First Party Pradeep Lakra was engaged in the employment under Jawahar Navodaya Vidyalaya as a labour on 10-10-97 and worked there till 31-3-2000 in lieu of the salary paid by the Second Party, Jawahar Navodaya Vidyalaya.

It is contended that the First party was disengaged w.e.f. 1-4-2000, which is illegal since the first party has completed 240 days work and even without notice under Section 25F of the Industrial Disputes Act, the First Party was terminated.

It is pertinent to mention that although the Second Party i.e. Jawahar Navodaya Vidyalaya had the opportunity to contest the case, but save and except tendering one statement on their behalf under signature of the Principal of that institution, there is no more participation till final hearing of the case.

However, on the face of the materials on record and due to making reference by the Desk Officer of the Ministry of Labour it can be presumed that for determination of the point at issue by the competent authority the said reference was held.

Now, from the muster roll of the mazdoor maintained by the Second Party, Jawahar Navodaya Vidyalaya, I find that the First Party had put and continued his attendance since October, 1997 till November, 1998 and necessary payment of the remuneration/salary was also paid month by month during that period to the First Party like other mazdoor.

Therefore taking into consideration that the Second Party had allowed the case to be heard and disposed of ex-parte and considering, appearance of the Second Party in the proceeding and its disappearance thereafter and specifically considering the copies of the muster roll, which has been produced by the First Party (which obviously would not have been controverted by any concerned staff of the Second Party), I have no hesitation to hold that the First Party had completed 240 days work

under the Second Party institution and for that reason he is supposed to be protracted under the Industrial Dispute Act.

The rule is as such that in such a case or even in otherwise situation no workman, employed in any industry, remaining in continuous service for not less than one year under the employer, shall be retrenched until service of one month notice in writing indicating the reasons thereof and so on and so forth. But I find from the record that there is no such proof of compliance under section 25F of the Industrial Dispute Act.

Therefore, I hold and conclude that the action of the Management of Jawahar Navodaya Vidyalaya, Panchwati, Rangat, Middle Andaman in refusing employment to the First Party Pradeep Lakra is illegal and unjustified, specially for non compliance of the provision of rule and so there must be order of reinstatement in the form of award to be passed in this case.

The point at issue is thus disposed of.

Hence, it is,

AWARDED

That the action of the Management of Jawahar Navodaya Vidyalaya, Panchwati, Rangat, Middle Andaman in refusing employment of Shri Pradeep Lakra from his service in lieu of daily wage is neither legal nor justified, and, the First Party is hereby entitled to be reinstated into service on daily wage basis like before under Jawahar Navodaya Vidyalaya till his termination only as per the rule of law, and subject to further benefit of emoluments/ payments as to be fixed time to time by the Administration of the Vidyalaya and this award shall take immediate effect, however, by making it clear that the period of disengagement of the First Party be taken notionally as the period of his employment for continuity in service, however without any back wages or monetary benefits, since the dispute was pending for adjudication by this Labour Court.

Let this award be forwarded to the Desk Officer, Government of India, Ministry of Labour, New Delhi, since the dispute has been disposed of by his reference dated 11-3-2003 vide No. L-42012/197/2002-IR(CM-II) by supplying also a copy of this award to the Assistant Labour Commissioner, (Central, Port Blair) for their information and due publication in the official gazette and for necessary other further action.

MIR DARA SHEKO, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 2008

का.आ. 24.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 34/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-2008 को प्राप्त हुआ था।

[सं. एल-22012/150/2005-आई. आर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th December, 2008

S.O. 24.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 34/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the Industrial Dispute between the the management of M/s. Western Coalfields Limited, and their workman, received by the Central Government on 12-12-2008.

[No. L-22012/150/2005-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI A. N. YADAV, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/34/07 date : 2-12-2008

Petitioner/Party No. 1 :

The General Secretary,
Lalzanda Coal Mines Mazdoor Union, Coal Estate,
Civil Lines, Nagpur-440001.
on behalf of Smt. Chhabutai Bhokre.

Verses

Respondent/Party No. 2 :

The Chairman and Managing Director,
M/s. WCL, Coal Estate, Civil Lines,
Nagpur-440001.

AWARD

(Dated : 2nd December, 2008)

1. The Central Government after satisfying the existence of dispute between the General Secretary, Lalzanda Coal Mines Mazdoor Union, Coal Estate, Civil Lines, Nagpur on behalf of Smt. Chhabutai Bhokre (Party No. 1) and the Chairman and Managing Director, M/s. WCL, Coal Estate, Civil Lines, Nagpur (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No. L-22012/150/2005-IR(CM-II) dated 29-5-2007 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the action of the management of M/s Western Coalfields Limited, Nagpur Area in placing the

dependent of the deceased workman namely Smt. Chhabutai Bhokre initially on training for a period of two years on a fixed stipend is legal and justified? If not, to what relief is she entitled?"

3. The reference came up on hearing on 24-11-2008 on which the Petitioner and his Counsel were absent. The counsel for Respondent was present. The Petitioner is not attending the case since last one year. She has also not even filed a statement of claim. I do not think it proper to continue it on the same stage years together. It seems that the Petitioner is not interested in prosecuting the case. In the circumstances, no purpose will be served in continuing the case, hence it dismissed for the default of the Petitioner and pass the negative award that he is not entitled for any relief.

Date : 2-12-2008

A. N. YADAV, Presiding Officer.

नई दिल्ली, 12 दिसम्बर, 2008

का.आ. 25.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नागपुर के पंचाट (संदर्भ संख्या 32/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-2008 को प्राप्त हुआ था।

[सं. एल-22012/151/2005-आई. आर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 12th December, 2008

S.O. 25.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 32/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of M/s. Western Coalfields Limited, and their workman, received by the Central Government on 12-12-2008.

[No. L-22012/151/2005-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI A. N. YADAV, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/32/07 Date : 2-12-2008

Petitioner/Party No. 1 :

The General Secretary,
Lalzanda Coal Mines Mazdoor Union, Coal Estate,
Civil Lines, Nagpur-440001.
on behalf of Shri Shakil Ahmed Sheik

Versus

Respondent/Party No. 2 :

The Chairman and Managing Director,
M/s. Western Coalfields Limited,
Nagpur-440001.

AWARD

(Dated: 2nd December, 2008)

1. The Central Government after satisfying the existence of dispute between the General Secretary, Lalzanda Coal Mines Mazdoor Union, Coal Estate, Civil Lines, Nagpur on behalf of Shri Shakil Ahmed Sheikh (Party No. 1) and the Chairman and Managing Director, M/s. Western Coalfield Limited, Coal Estate, Civil Lines, Nagpur (Party No. 2) referred the same for adjudication to this Tribunal *vide* its letter No. L-22012/151/2005-IR(CM-II) dated 29-5-2007 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the action of the management of M/s Western coalfields Limited, Nagpur Area in placing the dependent of the deceased workman namely Shri Shakil Ahmed Sheikh initially on training for a period of two years on a fixed stipend is legal and justified? If not, to what relief is the entitled?

3. The reference came up for hearing on 24-11-2008 on which the Petitioner and his Counsel were absent. The counsel for Respondent was present. The Petitioner is not attending the case since last one year. except on one hearing 6-5-2008. He has also not even filed a statement of claim. I do not think it proper to continue it on the same stage years together. It seems that the Petitioner is not interested in prosecuting the case. In the circumstances, no purpose will be served in continuing the case, hence it dismissed for the default of the Petitioner and pass the negative award that he is not entitled for any relief.

Date: 2-12-2008

A. N. YADAV, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 26.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मीना लाईम स्टोन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जोधपुर के प्रचाट (संदर्भ संख्या 1/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-29012/23/2003-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 26.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Jodhpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Meena Lime Stone and their workman,

which was received by the Central Government on 10-12-2008.

[No. L-29012/23/2003-IR(M)]
KAMAL BAKHRU, Desk Officer

अनुबंध

औद्योगिक विवाद अधिकरण एवं श्रम न्यायालय, जोधपुर
पीठासीन अधिकारी:— श्री पुष्पेन्द्रसिंह हाड़ा, आर.एच.जे.एस.
औद्योगिक विवाद (केन्द्रीय) संख्या :- 1/2004
श्री भीमाराव पुत्र श्री हापूराम मार्फत श्री गोपीकिशन एवं ब्रजकिशोर राज. ट्रेड यूनियन सेन्टर, राज. (सी.आई.टी.यू.) सुरतसिंह की कोठी, सोजतीगेट के बाहर, जोधपुर। ... प्रार्थी

बनाम

1. प्रबन्धक मीना लाईम जाक मुरकासनी तहसील बिलाड़ा जिला जोधपुर। ... अप्रार्थी

रेफरेन्स अन्तर्गत धारा 10 औद्योगिक विवाद अधिनियम, 1947

उपस्थित :-

(1) प्रार्थी प्रतिनिधी श्री ब्रजकिशोर उप।

(2) अप्रार्थी की ओर से श्री डी.आर.लूकड़ एडवोकेट उप।

अवार्ड

दिनांक 23-09-2008

1. भारत सरकार ने अपनी अधिसूचना क्रमांक एल. 29012/23/2003 [आई. आर(एम)] दिनांक 4-9-2003 के तहत निम्न विवाद अन्तर्गत धारा 10 औद्योगिक विवाद अधिनियम, 1947 इस न्यायालय को रेफर किया है :-

"क्या प्रबन्धक मीना लाईम जाक मुरकासनी तह. बिलाड़ा जोधपुर (राज.) के द्वारा अपने कर्मकार श्री भीमाराव पुत्र हापूराम ट्रेक्टर ड्राइवर को दिनांक 19-4-1998 से सेवा से बर्खास्त करना उचित एवं वैध है यदि नहीं तो कर्मकार क्या राहत पाने का अधिकारी है?"

2. प्रार्थी ने अपना माँग-पत्र इस आशय का प्रस्तुत किया है कि प्रार्थी अप्रार्थी के अधीन ट्रेक्टर ड्राइवर के पद पर दिनांक 5-7-1988 को नियुक्त होकर 19-4-1998 तक लगातार कार्यरत रहा, अप्रार्थी द्वारा प्रार्थी को बिना किसी कारण के सेवामुक्त कर दिया, प्रार्थी ने अप्रार्थी के अधीन लगातार 240 दिनों से अधिक समय तक कार्य किया, सेवामुक्ति से पूर्व प्रार्थी को नोटिस, नोटिस वेतन व मुआवजा नहीं दिया गया न ही घरेलू जाँच की गई तथा सेवामुक्ति से पूर्व कोई वरिष्ठता सूची जारी नहीं की गई जब कि प्रार्थी से जूनियर श्रमिक आज भी अप्रार्थी संस्थान में कार्यरत हैं। अप्रार्थी द्वारा सेवामुक्ति से पूर्व धारा 25 एफ एवं एच औद्योगिक विवाद अधिनियम, 1947 के प्रावधानों की पालना नहीं की गई, प्रार्थी सेवामुक्ति से आज तक बेरोजगार है। अतः सेवामुक्ति दिनांक 19-4-98 को अनुचित एवं अवैध घोषित किया जाकर प्रार्थी को सेवा की निरन्तरता में सम्पूर्ण वेतन सहित सेवा में पुनर्स्थापित किये जाने का अवार्ड पारित किया जावे।

3. अप्राथी की ओर से जवाबदावा प्रस्तुत कर यह कहा गया है कि प्राथी की नियुक्ति कभी भी ड्राइवर के पद पर अप्राथी संस्थान में नहीं हुई। अप्राथी के यहाँ लाईम का कार्य होता है, उसे सर्वप्रथम खनन का पट्टा आदेश दिनांक 9-10-1991 को खनिज लाईम स्टोन के लिए दिया गया जिसकी सविदा पंजीयन दिनांक 22-4-92 को हुआ अतः उसके पूर्व तो फैक्ट्री चालू ही नहीं हो सकती थी। जब प्राथी ने अप्राथी संस्थान में कार्य ही नहीं किया तो उसके द्वारा 240 दिन लगातार कार्य करने का कथन गलत है, तथा प्राथी को नोटिस, नोटिस वेतन व मुआवजा देने का प्रश्न ही उत्पन्न नहीं होता तथा वरिष्ठता सूची का भी प्रश्न उत्पन्न नहीं होता। अतः अप्राथी के लिए धारा 25-एफ एवं एच औद्योगिक विवाद अधिनियम के प्रावधानों की पालना की आवश्यकता ही नहीं थी। प्राथी किसी अनुतोष को प्राप्त करने का अधिकारी नहीं है। प्राथी का माँग-पत्र सव्यव खारिज किया जावे।

माँग-पत्र के समर्थन में प्राथी ने स्वयं का शपथ-पत्र प्रस्तुत किया जिस पर अप्राथी प्रतिनिधी द्वारा जिरह की गई। अप्राथी की ओर से ओमप्रकाश बोहरा का शपथ-पत्र प्रस्तुत किया गया जिसपर प्राथी प्रतिनिधी द्वारा जिरह की गई।

5. दोनों पक्षों के प्रतिनिधीगण की बहस सुनी गई। पत्रावली का अवलोकन किया गया।

6. प्राथी ने अपनी साक्ष्य में कहा है कि उसकी नियुक्ति अप्राथी संस्थान में ड्राइवर के पद पर 5-7-1988 को हुई तथा उसने 19-4-98 तक लगातार कार्य किया, उसने लगातार 240 दिन से अधिक समय तक कार्य किया तथा उसे बिना नोटिस, नोटिस वेतन व मुआवजा दिये सेवामुक्ति कर दिया तथा सेवामुक्ति से पूर्व कोई वरिष्ठता सूची जारी नहीं की गई। जिरह में प्राथी ने कहा है कि मैंने नियुक्ति बाबत कोई दस्तावेज पेश नहीं किया है, मीना लाईम में पत्थर का खनन का काम होता था, मैं ट्रैक्टर चलाता था। यह सही है। कि मीना लाईम कारखाना मीना लाईम के नाम से 1988 के बाद चालू हुआ उसके बाद हाईकोम लाईम के नाम से कारखाना था, मीना लाईम को खान का लाईसेन्स 1991 में मिला या नहीं इसका मुझे पता नहीं, पट्टा 1992 में मिला होगा, प्रदर्श ए-1 से प्रदर्श ए-86 भुगतान रजिस्टर में मेरा नाम क्यों नहीं है यह मैं नहीं कह सकता, पैमेंट शीट पर अंगुष्ठ लगाकर भुगतान प्राप्त करता था। इसके विपरित अप्राथी की ओर से ओमप्रकाश बोहरा ने अपनी साक्ष्य में यह कहा है कि प्राथी, अप्राथी संस्थान में कभी भी किसी पद पर नियुक्त नहीं हुआ ट्रैक्टर संख्या आर.आर.एन. 3734 एवं आर.जे. 19 आर. 6015 हमारे संस्थान के नहीं हैं, अप्राथी संस्थान में लाईम स्टोन के खनन का कार्य होता है तथा खनिज विभाग का पट्टा 9-10-91 को जारी हुआ तथा सर्वप्रथम खनन कार्य 23-4-92 से प्रारम्भ हुआ, 5-7-88 को संस्थान में किसी प्रकार का कार्य नहीं होता था प्राथी जब अप्राथी संस्थान में कार्य ही नहीं करता था तो उसकी 19-4-98 को सेवामुक्ति का प्रश्न ही उत्पन्न नहीं होता। जिरह में गवाह ने कहा है कि जो कर्मचारी नौकरी करते हैं उनकी हाजरी रजिस्टर में होती है, फैक्ट्री में ट्रैक्टर का काम नहीं होता है, माल का लोडिंग ट्रक द्वारा होता था, 1988 में फर्म नहीं थी, 21-4-92 को एलोट हुई थी।

7. यह सिद्ध करने का भार प्राथी पर था कि रेफरेन्स में प्राथी की सेवामुक्ति की बताई गई दिनांक 19-4-1998 से पूर्व के एक वर्ष

(19-4-97 से 19-4-98) में प्राथी ने 240 दिन अप्राथी के अधीन कार्य किया (2006(3) एल.एल.जे. 320)। लेकिन प्राथी ने उक्त तथ्य को सिद्ध करने के लिए अपने शपथ-पत्र के अलावा अन्य कोई दस्तावेज साक्ष्य प्रस्तुत नहीं की है न ही अप्राथी से कोई दस्तावेजात तलब करवाये हैं। इसके विपरित अप्राथी की ओर से भुगतान रजिस्टर जनवरी, 1994 से फरवरी, 1999 तक की फोटो प्रतियाँ तथा खनिज अभिवन्ता, जोधपुर द्वारा खनन पट्टा स्वीकृति का कार्यालय आदेश दिनांक 6-11-04 व 9-2-99, मार्विंग लीज आदि की फोटो प्रतियाँ पेश की गई। अप्राथी द्वारा प्रस्तुत भुगतान रजिस्टर के अवलोकन से प्राथी के कार्य दिवसों की गणना रेफरेन्स में बताई सेवामुक्ति की दिनांक 19-4-1998 से पूर्व के एक वर्ष में किये जाने पर भुगतान रजिस्टर 19-4-1997 से 19-4-1998 में प्राथी का नाम दर्ज नहीं है जब कि प्राथी ने अपनी साक्ष्य में यह कहा है कि वह भुगतान अंगुष्ठ लगाकर प्राप्त करता था लेकिन भुगतान रजिस्टर प्रदर्श ए-61 अप्रैल, 1997 से अप्रैल, 1998 प्रदर्श ए-73 में प्राथी का कहीं पर नाम अंकित नहीं है। प्राथी की मौखिक साक्ष्य इस संबंध में पर्याप्त नहीं मानी जा सकती है जैसा कि माननीय उच्चतम न्यायालय द्वारा 2004 एस.सी.सी. (एल. एण्ड एस.) 1062 व 2006(1) एल.एल.जे.एस.सी. 442 में निर्णित किया गया है कि इस प्रकार के कार्य को सिद्ध किये जाने के लिए प्राथी का स्वयं का शपथ-पत्र पर्याप्त नहीं माना जा सकता व दस्तावेजी साक्ष्य से पुष्टि ही इस तथ्य को सिद्ध करने का आधार माना जा सकता है। प्राथी ने अपनी मौखिक साक्ष्य के समर्थन में किसी प्रकार की दस्तावेजी साक्ष्य प्रस्तुत नहीं की है ऐसी स्थिति में प्राथी यह सिद्ध नहीं कर पाया है कि उसने रेफरेन्स में बताई सेवामुक्ति की तिथि 19-4-1998 से पूर्व के एक वर्ष में लगातार 240 दिन अप्राथी संस्थान में कार्य किया। इसके अतिरिक्त अप्राथी की ओर से प्रस्तुत दस्तावेज से यह स्पष्ट है कि अप्राथी को सर्वप्रथम खनन का पट्टा दिनांक 9-10-1991 को खनिज लाईम स्टोन के लिए दिया गया जिसका सविदा पंजीयन दिनांक 22-4-92 को हुआ जिससे भी स्पष्ट है कि 5-7-1988 को अप्राथी संस्थान चालू ही नहीं हुआ था। जब अप्राथी संस्थान 5-7-1988 को अस्तित्व में ही नहीं था तो प्राथी का 5-7-1988 को अप्राथी संस्थान में ड्राइवर के पद पर नियुक्त होने का कथन असत्य प्रतीत होता है स्वयं प्राथी ने जिरह में स्वीकार किया है कि मीना लाईम कारखाना मीना लाईम के नाम से 1988 के बाद चालू हुआ था। प्राथी द्वारा अप्राथी संस्थान में 240 दिन का कार्य सिद्ध नहीं होने की स्थिति में प्राथी को सिद्ध किये जाने से पूर्व कोई नोटिस, नोटिस वेतन व मुआवजा देना नहीं जा सकता यह नहीं माना जा सकता कि प्राथी की सेवा सम्पन्न कर प्राथी के केस में धारा 25-एफ औद्योगिक विवाद अधिनियम, 1997 के प्रावधानों का उल्लंघन अप्राथी द्वारा किया गया हो।

8. यद्यपि प्राथी ने धारा 25-एच औद्योगिक विवाद अधिनियम, 1997 के उल्लंघन का कथन भी किया है परन्तु इस संबंध में प्राथी की कोई विनिश्चित साक्ष्य प्रस्तुत नहीं हुई है। प्राथी चूंकि अप्राथी के अधीन सेवामुक्ति की रेफरेन्स में बताई गई दिनांक 19-4-98 से पूर्व के एक वर्ष में अप्राथी के अधीन कार्य करना सिद्ध नहीं कर पाया है अतः वरिष्ठता सूची उसके केस में रख जाना आवश्यक नहीं था। अप्राथी ने अपने शपथ-पत्र में यह बताया है कि प्राथी हमारे संस्थान में कभी भी किसी पद पर नियुक्त नहीं था, प्राथी ने इसके रिबटल में

कोई दस्तावेजी साक्ष्य प्रस्तुत नहीं की है। अतः अप्रार्थी द्वारा प्रस्तुत दस्तावेजात के आधार पर यह तथ्य भी सिद्ध होना पाया जाता कि प्रार्थी व अप्रार्थी के मध्य कर्मकार व नियोक्ता का सम्बन्ध नहीं था।

9. उक्त विवेचन के आधार पर यह सिद्ध होना नहीं पाया जाता कि प्रार्थी ने सेवा समाप्ति की रेफरेन्स में बताई गई तिथि 19-4-98 से पूर्व के एक वर्ष में अप्रार्थी के अधीन 240 दिन लगातार कार्य किया हो। यह तथ्य सिद्ध न होने की स्थिति में प्रार्थी की सेवा समाप्ति को अवैध माने जाने का कोई आधार नहीं है व प्रार्थी औद्योगिक विवाद अधिनियम के तहत किसी अनुतोष का अधिकारी नहीं है।

10. उक्त विवेचना के अनुसार इस रेफरेन्स का उत्तर इस अवार्ड की terms में निम्नप्रकार दिया जाता है।

प्रार्थी अप्रार्थी के अधीन नियोजित होना सिद्ध नहीं कर पाया है अतः दिनांक 19-4-1998 से उसे अनुचित या अवैध रूप से सेवामुक्त किया जाना नहीं माना जा सकता। प्रार्थी किसी अनुतोष का अधिकारी नहीं होगा।

11. इस अवार्ड को प्रकाशनार्थ भारत-सरकार को प्रेषित किया जावे।

12. यह अवार्ड आज दिनांक 23-09-2008 को खुले न्यायालय में सुनाया गया।

पुष्पेन्द्र सिंह हाडा, न्यायाधीश

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 27.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. कोचीन रिफाइनरीज लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय ईर्नाकुलम के पंचाट (संदर्भ संख्या आई. डी.-82/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-30012/9/2000-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 27.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D. 82/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Cochin Refineries Ltd. and their workman, which was received by the Central Government on 10-12-2008.

[No. L-30012/9/2000-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present: Shri P.L. Norbert, B.A., LL.B., Presiding Officer

(Thursday the 25th day of September, 2008/3rd Asvina, 1930)

I.D. 82 of 2006

(I.D. 10/2000 of Labour Court, Ernakulam)

Union	:	The General Secretary, Cochin Refineries Employees Association, Ambalamughal. By Adv. Sri C.S. Ajith Prakash.
Management	:	The General Manager (HRM), Cochin Refineries Limited, Ambalamughal. By Adv. M/s. Menon & Pai.

This case coming up for final hearing on 23-09-2008, this Tribunal on 25-09-2008 passed the following.

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is:

"Whether the action of the management of M/s. Cochin Refineries Limited in imposing the punishment of withholding one increment with cumulative effect against Shri P. N. Surendran Nair for certain alleged misconduct is legal and justified? If not, to what relief the workman is entitled?"

2. The facts of the case in brief are as follows:- Sri. P. N. Surendran Nair was the General Secretary of Kochi Refineries Employees Association. On the allegation that he was a habitual absentee and a late attender a show-cause notice was issued to him which was followed by a charge sheet. An enquiry was ordered and he was found guilty of the charges. A penalty of withholding of one increment with cumulative effect was imposed.

3. According to the workman the enquiry is vitiated for violation of principles of natural justice. The charge sheet does not contain statement of allegations and the charges are vague. Since the workman is a union office bearer he is victimised by the management. On the days of absence alleged by the management he was attending conciliation and domestic enquiries as defence representative. At any rate the punishment imposed is disproportionate.

4. According to the management the enquiry was conducted fully complying with principles of natural justice and fair play. The workman was absent on several occasions and it cannot be viewed lightly by the management. It is incorrect to say that the workman was attending conciliation meetings on the days of absence mentioned in the charge sheet. The office bearers of the union cannot conduct union activities at the cost of the management. It is on the basis of the materials on record that the enquiry

officer found the workman guilty. The punishment is commensurate with the gravity of the misconduct.

5. The workman had raised a preliminary objection regarding validity of enquiry and by order dated 08-09-2008 it was found that the enquiry is valid. Therefore the remaining points that arise for consideration are:—

1. Whether the findings are sustainable?

2. Is the punishment proportionate?

The evidence consists of the oral testimony of MW1 and Ext. M1 document on the side of the management and no evidence on the side of the union.

6. Point No. 1:— Ext. M3 is a show-cause notice dated 27-03-96 issued to the workman alleging absenteeism and late reporting. The show-cause notice contains details of absence. Within a period of 4 months from 01-12-95 to 19-03-96 he had remained absent 25 times. Out of that for 7 days' absence leave was granted. Absence on 17 occasions were unauthorised. Besides he used to attend the work late. To the show-cause notice the workman had sent Ext. M5 reply denying the allegations and contending that he was not absent unauthorisedly but was attending conciliation meetings and domestic enquiries as defence representative. Thereafter on 07-05-96 Ext. M4 charge sheet was issued to him. Reference is made to the show-cause notice in the charge sheet. One of the contentions of the workman is that the charge sheet does not contain a statement of allegations, that it is only a reproduction of the standing orders and the allegations are not specific. As mentioned above Ext. M5 charge sheet refers to the show-cause notice which contain details of absence and late attendance. Hence there was no reason for the workman to get confused regarding the allegations.

7. Ext. M1 is copy of log book concerning the period in question. It reveals that the workman remained absent on 17 occasions during the period between 01-12-95 to 19-03-96. It also reveals that during working hours he used to skip work and was missing from the work spot. MWs. 1 to 4 examined on the side of the management have supported the case of the management. The testimony of MWs. 1 to 4 is unchallenged because the workman remained absent on most of the days of enquiry. The enquiry was first posted on 20-05-96 after giving him notice by the Enquiry officer. But it was again postponed with notice to the delinquent to the next day on 21-05-96. That day the workman remained absent. It was adjourned to 28-05-96, 03-06-96, 06-06-96 and then to 11-06-96. All except on 11-06-96 the worker was absent. On 11-06-96 list of documents and witnesses were given to the workman. He was asked by the enquiry Officer regarding the charges and he denied the charges. The enquiry was adjourned to 19-06-96 on which date he remained absent. After 2 postings on 04-07-96 the workman appeared. On that day copies of documents were given to him by the management. Again the enquiry was adjourned. But he remained absent. On 18-07-96 he attended the enquiry. On that day MW1 was

examined. But the workman did not cross examine him. He wanted a co-worker to represent him.

8. The enquiry was adjourned to 25-07-96 and then to 31-07-96. Thereafter there were several adjournments. Meanwhile the workman filed a Writ O.P. before the Hon'ble High Court. On that ground he sought adjournment. The enquiry was posted finally to 10-09-96. Still he remained absent. Therefore the Enquiry Officer proceeded with the enquiry ex parte and examined MW2. Again the enquiry was adjourned to 12-09-96. But the worker was absent. Then MW3 was examined. The enquiry was adjourned to 17-09-96 on which day the workman was again absent. The enquiry was adjourned to 20-09-96. That day also he remained absent. MW4 was examined in chief and the enquiry was adjourned to 22-11-96. The worker remained absent and the enquiry was completed on that day. This was the habit of the workman even in the domestic enquiry. The enquiry itself was conducted on the allegation of absenteeism. I have found in the preliminary order that the workman was given sufficient opportunity to cross examine management witnesses and adduce defence evidence. But he was indifferent and callous in defending the charges against him. The evidence on the side of the management both oral and documentary remain unchallenged. The Enquiry Officer therefore found the workman guilty of the charges. In the absence of any contra evidence no other conclusion could have been drawn by the Enquiry Officer. I find no reason to interfere with the findings.

9. Point No. 2:— The punishment imposed is withholding of one increment with cumulative effect. According to the union the punishment is excessive and disproportionate on a charge of unauthorised absence. A lesser punishment is warranted in this case. Since the penalty imposed is not one falling within S. 11-A of I.D. Act the hands of this court are tied except in case of violation of any provision of law, settlement or regulations. The standing orders of Cochin Refineries Limited (Ext. M-XVII) binds all workman of Cochin Refineries Limited. Clause 29 of the standing orders deals with misconduct and 30 punishment for misconduct. The workman is found guilty of Clause 29-11 for habitual or excessive absenteeism or late attendance, Clause 29-36 for absence from job during working hours without permission of supervisor and Clause 29-53 for acts violative of Company's Rules and Regulations. The punishment provided for misconduct are enumerated in Clause 30-1(a) to (e). The disciplinary authority has resorted to clause 30-1(e) to impose the punishment of withholding of one increment with cumulative effect. That provision says that the company may impose any punishment deems just and necessary. Apparently there is no infraction of any provision of standing orders or any other provision of law in imposing the punishment. That a part the penalty of withholding of one increment with cumulative effect can never be said to be disproportionate in a case of habitual absence on so many occasions within a short span of 4 months and not properly attending to duty. Therefore I am refraining from interfering with the punishment as well.

In the result an award is passed finding that the action of the management in imposing the punishment of withholding of one increment with cumulative effect against the workman is legal and justified and he is not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dectated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 25th day of September, 2008.

P. L. NORBERT, Presiding Officer

APPENDIX

Witness for the Union — Nil

Witness for the Management

MW1 — 12-11-2007 Shri Neelakanton M.N.

Exhibit for the Union — Nil

Exhibit for the Management

M1 — Enquiry file.

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 28.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में अधिकरण पटना के पंचाट (संदर्भ संख्या 49(सी)/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/10/2008-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 28.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 49(c)/2008) of the Industrial Tribunal Patna now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/10/2008-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD, PATANA

Reference Case No. 49(C) of 2008

Between the Management of LIC of India Ltd., Patna and their workman Shri Ranjeet Kumar, represented by B.M.S., Patna.

For the Management : Shri Anil Kr. Verma,
Representative of LIC.

For the Workman

: Shri Murari Prasad,
Representative of BMS.

Present

: Vasudeo Ram, Presiding Officer,
Industrial Tribunal, Patna.

AWARD

Patna, Dated the 21st October, 2008

By adjudication order No. L-17012/10/2008-IR(M) dated 19-5-2008, the Govt. of India, Ministry of Labour, New Delhi, under Clause(d) of sub-section(1) and sub-section(2A) of Section 10 of the Industrial Disputes Act 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman, Shri Ranjeet Kumar, represented by B.M.S., Patna, for adjudication to this Tribunal:

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of Daily Wage Worker Shri Ranjeet Kumar working for a long period and not giving him regular status of a permanent worker is justified and legal? If not, to what relief the worker is entitled to?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties and hence I hereby pass a "No dispute Award".

3. And that is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 29.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 48(सी)/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/11/2008-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 29.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 48(C)/2008) of the Industrial Tribunal-Patna now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/11/2008-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

New Delhi, the 15th December, 2008

BEFORE THE PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD,
PATNA

Reference Case No. 48(C) of 2008

Between the Management of LIC of India Ltd., Patna
and their workman Shri Surendra Kumar, represented by
B.M.S., Patna.

For the Management : Shri Anil Kumar Verma,
Representative of LIC.

For the Workman : Shri Murari Prasad,
Representative of BMS.

Present : Vasudeo Ram, Presiding
Officer, Industrial Tribunal,
Patna.

AWARD

Patna, Dated the 21st October, 2008

By adjudication order No. L-17012/11/2008-IR(M) dated 19-5-2008, the Govt. of India, Ministry of Labour, New Delhi, under Clause(d) of sub-section(1) and sub-section (2A) of Section 10 of the Industrial Disputes Act 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman, Shri Surendra Kumar, represented by B.M.S., Patna, for adjudication to this Tribunal:

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of Daily Wage Worker Shri Surendra Kumar working for a long period and not giving him regular status of a permanent worker is justified and legal? If not, to what relief the worker is entitled to?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties and hence I hereby pass a "No dispute Award".

3. And that is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

क्र.आ. 30.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 47(सी)/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/12/2008-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

S.O. 30.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government here by publishes the Award (Ref. No. 47(C)/2008) of the Industrial Tribunal, Patna now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/12/2008-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD,
PATNA

Reference Case No. 47(C) of 2008

Between the Management of LIC of India Ltd., Patna and
their workman Shri Raju Kumar Rajak, represented by
B.M.S., Patna.

For the Management : Shri Anil Kr. Verma,
Representative of LIC.

For the Workman : Shri Murari Prasad,
Representative of BMS.

Present : Vasudeo Ram, Presiding Officer,
Industrial Tribunal, Patna.

AWARD

Patna, Dated the 21st October, 2008

By adjudication order No. L-17012/12/2008-IR(M) dated 19-5-2008, the Govt. of India, Ministry of Labour, New Delhi, under Clause (D) of sub-section(1) and sub-section(2A) of Section-10 of the Industrial Disputes Act 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman, Shri Raju Kumar Rajak, represented by B.M.S., Patna, for adjudication to this Tribunal:

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of Daily Wage Worker Shri Raju Kumar Rajak, working for a long period and not giving him regular status of a permanent worker is justified and legal? If not, to what relief the worker is entitled to?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exist between the parties, hence I hereby pass a "No dispute Award".

3. And that is my Award.

Dictated and corrected by me.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 31.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में औद्योगिक विवाद में औद्योगिक अधिकरण, पटना के पंचाट [संदर्भ संख्या 46(सी)/2008] को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/13/2008-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 31.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award [Ref. No. 46(C)/2008] of the Industrial Tribunal, Patna now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/13/2008-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD,
PATNA

Reference Case No. 46(C) of 2008

Between the Management of LIC of India Ltd., Patna and their workman Sri Pravesh Kumar, represented by B.M.S., Patna.

For the Management : Shri Anil Kumar Verma, Representative of LIC.

For the Workman : Shri Murari Prasad, Representative of MBS.

Present : Vasudeo Ram, Presiding Officer,
Industrial Tribunal, Patna.

AWARD

Patna, dated the 21st October, 2008

By adjudication order No. L-17012/13/2008-IR(M) dated 19-5-2008, to the Government of India, Ministry of Labour, New Delhi under Clause(d) of Sub-Section(1) and Sub-Section(2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Shri Pravesh Kumar, represented By B. M. S., Patna to this Tribunal for adjudication :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the

services of daily wage Worker Shri Pravesh Kumar working for a long period and not giving him regular status of a permanent worker is justified and legal ? If not, to what relief the worker is entitled to ?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties, and hence I hereby pass a 'No dispute Award'.

3. And this is my award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 32.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, पटना के पंचाट [संदर्भ संख्या 45(सी)/2008] को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/14/2008-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 32.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award [Ref. No. 45(C)/2008] of the Industrial Tribunal, Patna now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/14/2008-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD,
PATNA

Reference Case No. 45(C) of 2008

Between the Management of LIC of India Ltd., Patna and their workman Sri Prem Nath Ram, represented by B.M.S., Patna.

For the Management : Shri Naveen Kumar, Representative of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

Present : Vasudeo Ram, Presiding Officer,
Industrial Tribunal, Patna.

AWARD

Patna, dated the 20th October, 2008

By adjudication order No. L-17012/14/2008-IR(M) dated 19-5-2008, to the Govt. of India, Ministry of Labour, New Delhi under Clause(d) of Sub-Section(1) and Sub-Section(2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Shri Prem Nath Ram, represented By B. M. S., Patna to this Tribunal for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of daily wage Worker Shri Prem Nath Ram working for a long period and not giving him regular status of a permanent worker is justified and legal ? If not, to what relief the worker is entitled to ?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties, and hence I hereby pass a 'No dispute Award'.

3. And this is my award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 33.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, पटना के पंचाट [संदर्भ संख्या 44(सी)/2008] को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/15/2008-आई आर(एम)]

कमल बाखरु, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 33.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award [Ref. No. 44(C)/2008] of the Industrial Tribunal, Patna now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/15/2008-IR(M)]

KAMAL BAKHRU, Desk Officer-

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD, PATNA

Reference Case No. 44(C) of 2008

Between the Management of LIC of India Ltd., Patna and their workman Sri Arbind Kumar, represented by B.M.S., Patna.

For the Management : Shri Naveen Kumar, Representative of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

Present : Vasudeo Ram, Presiding Officer, Industrial Tribunal, Patna.

AWARD

Patna, dated the 20th October, 2008

By adjudication order No. L-17012/15/2008-IR(M) dated 19-5-2008, the Government of India, Ministry of Labour, New Delhi under Clause(d) of Sub-Section(1) and Sub-Section(2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Shri Arbind Kumar, represented By B. M. S., Patna to this Tribunal for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of daily wage Worker Shri Arbind Kumar working for a long period and not giving him regular status of a permanent worker is justified and legal ? If not, to what relief the worker is entitled to ?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties, and hence I hereby pass a 'No dispute Award'.

3. And this is my award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 34.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, पटना के पंचाट [संदर्भ संख्या 32(सी)/2008] को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/14/2007-आई आर(एम.)]

कमल बाखरु, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 34.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award [Ref. No. 32(C)/2008] of the Industrial Tribunal, Patna now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/74/2007-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD, PATNA

Reference Case No. 32(C) of 2008

Between the Management of LIC of India Ltd., Patna and their workman Sri Vijay Kumar, represented by B.M.S., Patna.

For the Management : Shri T. T. Mukherjee, Representative of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

Present : Shri Vasudeo Ram, Presiding Officer, Industrial Tribunal, Patna.

AWARD

Patna, dated the 17th October, 2008

By the adjudication order No. L-17012/74/2007-IR(M) dated 17-3-2008, the Govt. of India, Ministry of Labour, New Delhi under Clause(d) of Sub-Section(1) and Sub-Section(2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Shri Vijay Kumar, represented By B.M.S., Patna to this Tribunal for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of Daily wage Worker Shri Vijay Kumar working for a long period and not giving him regular status of a permanent worker is justified and legal ? If not, to what relief Shri Vijay Kumar is entitled to ?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference has been filed and moved on behalf of workman through his representative. Under the circumstances I presume that now no dispute exists between the parties, and hence I hereby pass a 'No Dispute Award' "

3. And this is my award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 35.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, ईर्नाकुलम के पंचाट (संदर्भ संख्या आई.डी.-51/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-11012/6/2005-आई. आर(एम.)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 35.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government here by publishes the Award (Ref. I.D. No. 51/2006) of the Central Government Industrial Tribunal/Labour Court, Ernakulam now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airports Authority of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-11012/6/2005-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri P. L. Norbert, B.A., LL.B., Presiding Officer

(Thursday, the 28th day of August, 2008/6th Bhadrpadh, 1930)

I.D. No. 51/2006

(I.D.17/2006 of Industrial Tribunal, Alappuzha)

Workman : Smt. Margaret Fernandez, Kankalil, Nangiarkulangara P.O., Alleppy.

By Adv. Sri. Thomas Abraham.

Management :

1. The Airport Director, Trivandrum Airport Authority of India (NAD), Trivandrum International Airport, Trivandrum-695 008.
2. The Administrator, M/s. Ex-servicemens' Welfare Cooperative Society Ltd., No. 780, Office of the Registrar of Co-operative Societies (General), Vanchiyoor Trivandrum.

By Adv. Sri. K. L. Narasimhan.

This case coming up for hearing on 25-08-2008, this Tribunal-cum-Labour Court on 28-08-2008 passed the following:

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is:

"Whether the action of the Director, Airports Authority of India, Trivandrum in non-absorbing/terminating the services of Smt. Margaret Fernandez, Contract Labour (Cleaner) is just and fair? If not, what relief the concerned workman is entitled to?"

2. The facts of the case in brief are as follows:— According to the worker, Smt. Margaret Fernandez, she was engaged as Contract Labour (Cleaner) in International Airport, Trivandrum. The 2nd management M/s. Ex-servicemen's Welfare Cooperative Society, Trivandrum was the labour supply contractor. There was an agreement between first management Airport Authority and 2nd management Contractor for deployment of labour for sweeping, cleaning and dusting of the buildings of the first management. The claimant worked as cleaner from 30-09-1986 to 31-08-1991. While she was on duty on 31-08-1991 she fainted and was hospitalised. The contractor granted leave for treatment. She underwent a long treatment and became fit for joining duty only by 08-12-1993. But she was denied employment by the first management. She made representation to the first management. There was no response. Similar contract workers had approached the Hon'ble High Court of Kerala and obtained an interim order against termination. Meanwhile the Hon'ble Supreme Court in Air India Statutory Corporation case directed regularisation of contract labour (cleaners and security guards) by the principal employer as per judgment dated 06-12-1997. All contract workers on duty on the date of judgment were regularised in service by the Airport Authority. Since the worker was in treatment and when she recovered and reported for duty she was denied work and was not considered for regularisation. The worker filed O. P. before the Hon'ble High court claiming regularisation. That O. P. was disposed of with a direction to the 1st management to consider the representation of the worker and to dispose of the representation. However the first management disposed of the representation denying employment. This was challenged in O. P. 29084 of 1999. Pending O. P. the Hon'ble Supreme Court in Steel Authority of India case overruled the decision in Air India Statutory Corporation case, but held that contract labourer engaged through sham contract are entitled for regularisation. However, the claimant was not considered for absorption. The denial of employment, when the worker returned for duty when she was medically fit, is illegal. The worker has every right for absorption like her counterparts.

3. According to the first management there is no existing contract with the 2nd management for providing labourer for sweeping, cleaning and gardening. The claimant

is not working as a contract labourer under the management or under 2nd management. There is no master-servant relationship between the claimant and the first management. The claimant is not a workman as defined in the I.D. Act. There was a contract sometime back with the 2nd management for providing labourer for sweeping, cleaning and gardening. First management is not aware whether the worker was engaged by the 2nd management for cleaning purpose. The worker had not approached the first management in 1993 seeking re-instatement. The first management is not aware of the alleged illness of the worker in 1991. The first management is not aware of engagement of worker or her attempt to resume duty after medical treatment. Some of the contract workers had approached the Hon'ble High Court in O. P. for regularisation in service. A list of 86 workers prepared by contractor was an annexure to the O. P. However the name of claimant was not there in the list. While writ was pending the Hon'ble Supreme Court in Air India Statutory Corporation case directed absorption of contract labour. Thereafter the first management regularised contract labour who were on the rolls of the contractor on the date of judgment on 06-12-1997. The representation of the worker was considered and disposed of by the 1st management. The decision of 1st management was again challenged in O. P. It was disposed of by High Court in the light of the judgment of Hon'ble Supreme Court in Steel Authority of India. The worker had no case in O.P.s. that the contract between first and 2nd management is a sham contract. The worker is not entitled for reinstatement or regularisation.

4. In the light of the above contentions the following points arise for consideration:

1. Is the claimant entitled for absorption in the light of the judgment in Air India Statutory Corporation Case?
2. Is the contract sham?
3. Is the claimant entitled for reinstatement and regularisation?

The evidence consists of the oral testimony of WWI and documentary evidence of Exts. W1 to 16 on the side of the worker and MWI and Exts. M1 and M2 on the side of the first management.

5. Point No. 1:—It is not disputed that there was a contract between first management Airport Authority and 2nd management M/s. Ex-Servicemen's Welfare Cooperative Society for providing labour for cleaning, sweeping and gardening. According to the claimant she was engaged through 2nd management contractor as Cleaner in the Airport from 30-09-1989 to 31-08-1991. On 31-08-1991 she suddenly took ill and was hospitalized. She took long time to recover and could report for duty only on 08-12-1993. The claimant says that she had reported to the first management. But the first management denies that she had reported to the first management. It is also denied that the worker was at any time engaged by the first

management. It is their contention that they are not aware whether the worker was engaged by the contractor. There were several employees working in the cleaning section of the Airport. The Hon'ble Supreme Court in *Air India Statutory Corporation & Ors. Vs. United Labour Union and Ors.* 1997-1-LLJ-1113 held that the contract labour engaged on the basis of a sham contract are to be absorbed in service of principal employer. The decision was rendered on 6-12-1997. In the light of the decision of first management absorbed the contract workers on the rolls of the contractor as on 6-12-1997. However the claimant was left out. According to the 1st management she was not in the rolls of 2nd management. Therefore the pertinent question is whether the claimant was a contract worker when the judgment was pronounced by the Hon'ble Supreme Court. According to the worker she had worked from 1986 to 31-8-1991 continuously in the Airport and thereafter due to illness she was under treatment. When she recovered she reported for duty. Hence according to her she was never out of employment and so she had every right to get absorption on strength of the judgment of Hon'ble Supreme Court. But the first management does not admit the employment of the claimant either directly under first management or through the 2nd management. According to the first management when they considered the names of contract worker for the purpose of absorption in the light of the Supreme Court judgment, the name of the worker was not there on the rolls of 2nd management nor was she a direct employee of the first management. The worker has no case that she was taken directly by the first management. But she was a contract labour. For a period of more than 2 years she says that she was under treatment. There is no evidence to prove that she had reported to the first management for resuming duty on 8-12-1993. Ext.W2 is relied on by the worker to contend that she had reported for duty to the first management and submitted medical documents to prove her illness. Ext.W2 is a letter dated 31-8-1994 written by supervisor, Airport to the 2nd management Society stating that the worker was a society member and she had worked from 1986 to 31-8-1991 and thereafter she fell sick. After recovery she had approached the officers of Airport several times and on 30-8-1994 she had met Airport Manager and Manager had asked her to bring letter from the society. This letter according to the worker was written by the supervisor of the first management to the Society Administrator. But it is challenged by the first management on the ground that it is a letter written by the supervisor of the contractor to the society administrator and not written by an officer of first management. The letter is written not in the letter pad of first management. It is a handwritten letter. Usually official letters are written in letter pads. Whether the officer who has signed Ext.W2 had the competence to write such a letter is yet another matter for scrutiny. It is relevant to note that the worker had admitted in the claim statement, para 3 that the contractor society had granted her leave for treatment. It is clear from her own statement that it was the society which had engaged her and that is why leave was

granted by the society. There is no record to show whether she was actually granted leave and for how long? If she was given long leave for more than 2 years by the 2nd management society she would have been on the rolls of the 2nd management. However there is no evidence to show that but for the treatment she would have been working under 2nd Management and would have been in service. It is for the 2nd management to show records, if any, of the employment of the claimant at the relevant time. Admittedly after 31-8-1991 she had not worked. She says that she had approached the 1st management on 8-12-1993. But she was not allowed to work. Naturally after 4 years when judgment in *Air India Statutory Corporation* case came out on 6-12-1997 her name could not have been there on the rolls of 2nd management. Since the first management is not the direct employer of contract labour they would depend upon the contractor to know the names of contract workers. As per the list provided by the 2nd management and which was also produced in O.P. 4190/99(Ext. M1) the first management could consider only those in the list for absorption. The direction of the Hon'ble Supreme Court in O.P. 4190/99(Ext. W6) was to dispose of the representation of the worker pending before the first management. By Ext. W7 order dated 19-7-1999 the representation was disposed of but denying employment. That was challenged by the worker in O.P. 29084/99 (Ext. M2). Pending that case the decision in *Air India Statutory Corporation* case was overruled in *Steel Authority of India* case and hence the Hon'ble High Court of Ext.M2 O.P. stating that the parties will be governed by the decision in *Steel Authority of India* case. In *Steel Authority of India Ltd. and Ors. v. National Union Water Front Workers and Ors.* 2001-II-LLJ-1087 it is held that there is no automatic absorption of contract labour on issuance of a notification under Section 10(1) of CLRA Act but would depend upon the nature of the contract, whether it is sham or genuine. However the Hon'ble Supreme Court observed that whatever absorption that was made in the light of the judgment in *Air India Statutory Corporation* Case or by High Court or Industrial Tribunal shall not be disturbed. But the decision in *Air India Industrial Tribunal* shall not be disturbed. But the decision in *Air India Statutory Corporation* case is prospectively overruled. It means that after the judgment was rendered in *Steel Authority of India* case it was not possible for any employer to absorb contract labour merely on the ground that there was a notification under Section 10(1) of CLRA Act. The judgment in *Steel Authority of India* case was rendered in 2001. Thereafter on the basis of the decision in *Air India Statutory Corporation* case the first management could not have absorbed contract labour. Her name was not there in the list of 86 workers provided by the 2nd management and which list was annexed to O.P. 8645/93 filed by some of the contract workers before the Hon'ble High Court of Kerala. Unless the claimant was a worker either on 6-12-1997 (date of judgment in *Air India Statutory Corporation* case) or thereafter until the judgment in *Steel Authority of India* case was rendered the first management could not have considered her for absorption. Thus on the basis of the

decision in Air India Statutory Corporation Case the worker cannot claim absorption.

6. Point No. 2 :—There is an averment in para 5 (page 3) of the claim statement that the contract is sham. According to the worker though she was engaged through 2nd management contractor for all practical purposes she was an employee of first management. The worker was examined as WW1. She deposed that she was paid wages by Airport Authority and she was asked to sign in a book. She was supervised and controlled by the first management. She had been working continuously from 1986 to 1991. Whereas the officer of first management, MW1 denies payment of wages to the worker by the first management. According to MW1 the contract workers were paid by the contractor and not by the first management. MW1 denies that the worker was appointed by the first management. But it is admitted that Ext. W1 daily permit was issued by the first management. No doubt it is issued to the worker. It shows that the worker was a cleaning staff. The permit was valid up to 15-8-1991 (see reverse side). However the daily permit is for the purpose of allowing entry into the Airport premises. That will not mean that the claimant was an employee of the first management. Any contract worker requires such permit to enter Airport premises. It is not enough to plead that the contract is sham. The burden is on the worker to prove that she was supervised and controlled by the officers of the Airport Authority, that she was given remuneration by the first management, that disciplinary control was with the first management etc. None of these factors are proved by the worker. On the other hand as already mentioned above in para 3 of the claim statement it is admitted that she was granted leave for treatment by the 2nd management contractor. There is absolutely no evidence to substantiate the case of the worker that the contract is sham. It is relevant to note that the worker had no such case in O.Ps (Exts. M1 & M2) filed by her. It is the burden of worker to prove that the contract is sham and the real employer is the principal employer. The worker has failed to prove the same and so I find that the contract is genuine.

7. Point No. 3 :—The claimant was working from 30-9-86 to 31-8-1991 but under the 2nd management contractor. The claim is for reinstatement and regularisation by the first management. Unless she was employed by the first management or unless the contract is found to be sham the first management cannot be asked to regularise the worker. She herself has the case that she was engaged through the contractor. I have found that there is no evidence to prove that the contract is sham. If so, she could have worked only as a contract labour under the 2nd management and cannot claim regularisation in 1st Management. She cannot also claim re-instatement in the first management. Even if she had worked for about 5 years she was only a contract worker and none of the benefits under Section 25F of the I.D. Act can be claimed from the first management.

8. She has a case that the first management has conducted fresh recruitment and taken employees as cleaners on permanent basis. According to the worker this is illegal. I have found that she was not a worker directly under the first management and therefore she does not get any right for preference in employment as against fresh recruits through employment exchange or otherwise. Therefore she is not entitled for any remedy.

In the result an award is passed finding that the action of the management Airport Authority of India in not absorbing or reinstating the worker and in terminating the service of the worker, is legal and justified and she is not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 28th day of August, 2008.

P.L. NORBERT, Presiding Officer

Appendix

Witness for the workman :

WW1 5-3-2008 Smt. Margaret Fernandez

Witness for the Management :

MW1 9-7-2008 Sr. M. Ravindranathan

Exhibits for the workman :

W1 26-6-1991 Daily permit card of Smt. Margaret Fernandez.

W2 31-8-1994 Copy of letter from Supervisor, airport to the Administrator, Ex-service Mens' Welfare Co-op. Society.

W3 26-5-1994 Letter from the workman to Ex-service Mens' Welfare Co-op. Society Ltd., Thiruvananthapuram.

W4 1-6-1994 Letter from the workman to the Director, International Airport Authority, Thiruvananthapuram.

W5 1-7-1994 Letter from the workman to the Director, International Airport Authority, Thiruvananthapuram.

W6 15-3-1999 Copy of judgment in O.P. No. 4190 of 1999 of Hon'ble High Court of Kerala.

W7 19-7-1999 Copy of Memorandum No. AAT/LAW/MF/99/110/5130 of Airport Authority of India, Thiruvananthapuram.

W8 27-4-2004 Copy of judgment in O.P. No. 29084 of 1999 (K) of Hon'ble High Court of Kerala.

W9 4-6-2004 Letter from workman to the Chairman, Airport Authority of India, Thiruvananthapuram.

W10 10-12-2004 Copy of letter No. AAT/PERS/1001/33/2002/4968 of Airports Authority of India, Thiruvananthapuram.

Exhibits for the Management

M1 —Copy of O.P. No. 4190/1999 of Hon'ble High Court of Kerala, Ernakulam.

M2 —Copy of O.P. No. 29084 of 1999 of Hon'ble High Court of Kerala, Ernakulam.

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 36.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 31(सी)/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/73/2007-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 36.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 31(C)/2008) of the Industrial Tribunal, Patna now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/73/2007-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD, PATNA

Reference Case No. 31(C) of 2008

Between the Management of LIC of India Ltd., Patna and their workman Shri Mukesh Kumar, represented by B.M.S.

For the Management : Shri T. T. Mukherjee, Representative of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

Present : Vasudeo Ram, Presiding Officer, Industrial Tribunal, Patna.

AWARD

Patna, dated the 17th October, 2008

By adjudication order No. L-17012/73/2007-IR(M) dated 17-3-2008, the Government of India, Ministry of Labour, New Delhi under Clause(d) of Sub-Section(1) and Sub-Section(2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Shri Mukesh Kumar, represented By B.M.S., Patna for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the service of Daily wage worker Shri Mukesh Kumar, working for a long period and not giving him regular status of a permanent worker is justified and legal ? If not, to what relief Sh. Mukesh Kumar is entitled to ?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties, and hence I hereby passed a "No dispute Award."

3. And this is my award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 37.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 30 (सी)/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-08 को प्राप्त हुआ था।

[सं. एल-17012/72/2007-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 37.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.30(c) 2008) of the Central Government Industrial Tribunal, Patna now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the Management of LIC of India, and their workmen, which was received by the Central Government on 10-12-08.

[No. L-17012/72/2007-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, SHRAM BHAWAN, BAILEY ROAD, PATNA.

Reference Case No. 39(C) of 2008.

Between the management of LIC of India Ltd., Patna and their workman Shri Ajay Kumar, represented by H.M.S., Patna.

For the management : Shri T.T. Mukherjee, Representative of LIC.

For the workman : Shri Murari Prasad, Representative of BMS.

Present : Vasudeo Ram, Presiding Officer, Industrial Tribunal, Patna.

AWARD

Patna, dated the 17th October, 2008.

By adjudication Order No. L-17012/72/2007-IR(M) dated 17-3-2008, the Government of India, Ministry of Labour, New Delhi under clause (d) of Sub-Section (1) and Sub-Section (2A) of Section 10 of the Industrial Dispute, Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman, represented by B.M.S. Patna for adjudication to this Tribunal:

"Whether the action of the management of LIC of India, Divisional Officer, Patna in not regularising the service of daily wage worker Shri Ajay Kumar, working for a long period and not giving him regular status of a permanent worker is justified and legal? If not, what relief Sh. Ajay Kumar is entitled to?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties, hence I hereby passed a "No dispute award."

3. And this is my award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

क्र.आ. 38.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबंध में उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के संघट (संघर्ष संख्या 29(सी)/2008) को प्रसारित करती है, जो केन्द्रीय सरकार को 10-12-08 को प्राप्त हुआ था।

[सं. एल-17012/71/2007-आईआर(एम)]

वासुदेव राम, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 38.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.29 (c)/2008) of the Industrial Tribunal, Patna now as shown in the Annexure, in the Industrial Dispute between the employees in relation to the management of LIC of India and their workmen, which was received by the Central Government on 10-12-08.

[No. L-17012/71/2007-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL SHRAM BHAWAN, BAILEY ROAD, PATNA.

Reference Case No. 29(C) of 2008

Between the Management of LIC of India Ltd., Patna and their Workman Shri Bhim Giri, represented by B.M.S. Patna.

For the Management : Shri T.T. Mukherjee, Representative, LIC.

For the Workman : Shri Murari Prasad, Representative, B.M.S.

Present : Vasudeo Ram, Presiding Officer,

Industrial Tribunal, Patna.

AWARD

Patna, dated the 17th October, 2008

By adjudication Order No. L-17012/71/2007-IR(M) dated 17-3-2008, the Government of India, Ministry of Labour, New Delhi under clause (d) of Sub-Section (1) and Sub-Section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Shri Bhim Giri, represented by B.M.S. Patna for adjudication to this Tribunal:

"Whether the action of the management of LIC of India, Divisional Officer, Patna in not regularising the service of daily wage worker Shri Bhim Giri, working for a long period and not giving him regular status of a permanent worker is justified and legal? If not, what relief Sh. Bhim Giri is entitled to?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstance I presume that now no dispute exists between the parties, hence I hereby passed a "No dispute Award".

3. And this is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ 39.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सीऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 28(सी)/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-08 को प्राप्त हुआ था।

[सं. एल-17012/70/2007-आईआर(एम.)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 39.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.28 (C)/2008) of the Industrial Tribunal Patna now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-08.

[No. L-17012/70/2007-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL SHRAM BHAWAN, BAILEY ROAD, PATNA

Reference Case No. 28(C) of 2008.

Between the Management of LIC of India Ltd., Patna and their Workman Shri Narendra Verma, represented by B.M.S.

For the Management : Shri T.T. Mukherjee, Representative of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

PRESENT : Vasudeo Ram, Presiding Officer,

Industrial Tribunal, Patna.

AWARD

By adjudication Order No. L-17012/70/2007-IR(M) dated 17-3-2008, the Government of India, Ministry of Labour New Delhi under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Dispute Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Sri Narendra Verma, represented by B.M.S., Patna for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of dailywage worker Shri Narendra Verma, working for a long period and not giving him regular status of permanent worker is justified and

legal? If not what relief Sh. Narendra Verma is entitled to ?."

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of reference has been filed on behalf of workman. Under the circumstances, I presume that now no dispute between the parties and hence a "No Dispute Award" is hereby passed.

3. And this is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ 40.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सीऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 27(सी)/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-08 को प्राप्त हुआ था।

[सं. एल-17012/69/2007-आईआर(एम.)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 40.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.27 (C)/2008) of the Industrial Tribunal Patna now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-08.

[No. L-17012/69/2007-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL SHRAM BHAWAN, BAILEY ROAD, PATNA

Reference Case No. 27(C) of 2008

Between the Management of LIC of India Ltd., Patna and their Workman Shri Ranjeet Pandey, Represented by B.M.S. Patna.

For the Management : Shri T.T. Mukherjee, Representative of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

PRESENT : Vasudeo Ram, Presiding Officer,

Industrial Tribunal, Patna.

AWARD

Patna, dated the 17th October, 2008

By adjudication Order No. L-17012/69/2007-IR(M) dated 17-3-2008, the Government of India, Ministry of Labour New Delhi under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Sri Ranjeet Pandey, Represented by B.M.S., Patna for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of daily wage worker Shri Ranjeet Pandey, working for a long period and not giving him regular status of a permanent worker is justified and legal? If not what relief Sh. Ranjeet Pandey is entitled to ?."

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of reference has been filed on behalf of workman. Under the circumstances, I presume that now no dispute between the parties hence a "No Dispute Award" is hereby passed.

3. And this is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ 41.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 26(सी)/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2008 को प्राप्त हुआ था।

[सं. एल-17012/68/2007-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 41.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.26 (C)/2008) of the Industrial Tribunal Patna now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-2008.

[No. L-17012/68/2007-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL SHRAM BHAWAN, BAILEY ROAD, PATNA

Reference Case No. 26(C) of 2008

Between the Management of LIC of India Ltd., Patna and their Workman Shri Ram Avtar Prasad, Represented by B.M.S., Patna.

For the Management : Shri T.T. Mukherjee, Representative of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

PRESENT : Vasudeo Ram, Presiding Officer,

Industrial Tribunal, Patna.

AWARD

Patna, dated the 17th October, 2008

By adjudication Order No. L-17012/68/2007-IR(M) dated 17-3-2008, the Government of India, Ministry of Labour New Delhi under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman Shri Ram Avtar Prasad, represented by B.M.S., Patna for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the service of daily wage worker Shri Ram Avtar Prasad, working for a long period and not giving him regular status of a permanent worker is justified and legal? If not, what relief Sh. Ram Avtar Prasad is entitled to ?."

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of reference has been filed on behalf of workman. Under the circumstances I presume that now no dispute between the parties hence a "No Dispute Award" is hereby passed.

3. And this is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ 42.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के

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पंचाट (संदर्भ संख्या 17(सी)/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-08 को प्राप्त हुआ था।

[सं. एल-17012/21/2007-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 42.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.17 (C)/2007) of the Industrial Tribunal Patna now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-08.

[No. L-17012/21/2007-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL SHRAM BHAWAN, BAILEY ROAD, PATNA

Reference Case No. 17(C) of 2007

Between the Management of LIC of India Ltd., Patna and their Workman Shri Beda Nand Mishra, represented by B.M.S., Patna.

For the Management : Shri Navin Kumar, Representative, of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

PRESENT: Vasudeo Ram, Presiding Officer,
Industrial Tribunal, Patna.

AWARD

Patna. dated the 20th October, 2008

By adjudication Order No. L-17012/21/2007-IR(M) dated 7-9-2008, the Government of India, Ministry of Labour, New Delhi under clause (d) of sub-Section (1) and sub-Section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman, represented by B.M.S., Patna for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of daily wage worker Shir Beda Nand Mishra, working for a long period and not giving him regular status of a permanent worker is justified and legal? If it is an unfair labour practice, what relief the worker is entitled to ?."

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been

filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties and hence I hereby passed a "No Dispute Award".

3. And that is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ 43.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 18(सी)/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-08 को प्राप्त हुआ था।

[सं. एल-17012/20/2007-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 43.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.18 (C)/2007) of the Industrial Tribunal Patna now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-08.

[No. L-17012/20/2007-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL SHRAM BHAWAN, BAILEY ROAD, PATNA.

Reference Case No. 18(C) of 2007

Between the Management of LIC of India Ltd., Patna and their Workman Shri Prahalad Ram, represented by B.M.S., Patna.

For the Management : Shri Navin Kumar, Representative, of LIC.

For the Workman : Shri Murari Prasad, Representative of BMS.

PRESENT: Vasudeo Ram, Presiding Officer,
Industrial Tribunal, Patna.

AWARD

Patna. dated the 20th October, 2008

By adjudication Order No. L-17012/20/2007-IR(M) dated 7-9-2007, the Government of India, Ministry of Labour New Delhi under clause (d) of sub-Section (1) and sub-Section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred

the following dispute between the management of LIC of India Ltd., Patna and their workman, Shri Prabalad Ram, represented by B.M.S., Patna for adjudication to this Tribunal:

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of daily wage worker Shri Prabalad Ram, working for a long period and not giving him regular status of a permanent worker is justified and legal? If it is an unfair labour practice, what relief the worker is entitled to?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference case has been filed on behalf of workman and moved. Under the circumstances I presume that now no dispute exists between the parties, and hence a "No Dispute Award" is passed.

3. And that is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2008

का.आ. 44.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार एल आई सी ऑफ इंडिया के प्रबंधकों के संबंध निरीक्षकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट (संदर्भ संख्या 20(सी)/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-08 को प्राप्त हुआ था।

[सं. एल-17012/17/2007-आईआर(एम)]

कमल बाखरु, डेस्क अधिकारी

New Delhi, the 15th December, 2008

S.O. 44.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.20 (C)/2007) of the Industrial Tribunal, Patna now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 10-12-08.

[No. L-17012/17/2007-IR(M)]

KAMAL BAKHRU, Desk Officer
ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL SHRAM BHAWAN, BAILEY ROAD,
PATNA

Reference Case No. 20(C) of 2007

Between the Management of LIC of India Ltd., Patna and
the Workman Shri Chotelal, represented by B.M.S.

For the Management : Shri Navin Kumar, Representative,
of LIC.

For the Workman : Shri Murari Prasad, Representative of
BMS.

Present : Vasudeo Ram, Presiding Officer,
Industrial Tribunal, Patna.

AWARD

Patna, dated the 17th October, 2008

By adjudication Order No. L-17012/17/2007-IR(M) dated 7-9-2007, the Government of India, Ministry of Labour New Delhi under clause (d) of sub-Section (1) and sub-Section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the management of LIC of India Ltd., Patna and their workman represented by B.M.S., Patna for adjudication to this Tribunal :

"Whether the action of the management of LIC of India, Divisional Office, Patna in not regularising the services of daily wage worker Shri Chotelal, working for a long period and not giving him regular status of a permanent worker is justified and legal? If it is an unfair labour practice, what relief the worker is entitled to?"

2. Both the parties appeared on notice and filed statement of claim and the written statement. Subsequently a petition for withdrawal of the reference has been filed on behalf of workman. Under the circumstances I presume that now no dispute between the parties, and hence a "No Dispute Award" is hereby passed.

3. And this is my Award.

VASUDEO RAM, Presiding Officer

नई दिल्ली, 17 दिसम्बर, 2008

का.आ. 45.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 जनवरी, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिक्का जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिक्का जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध आन्ध्र प्रदेश के विप्लविधिक क्षेत्रों में प्रवृत्त होंगे, अर्थात् :-

- (1) आन्ध्र प्रदेश राज्य के श्रीकाकुलम जिले के राजम मण्डल में विप्लव योगीरी तालुका और मुकुन्दम तालुका गाँव के अधीन आने वाले सम्पूर्ण क्षेत्र में प्रवृत्त होगी।
- (2) आन्ध्र प्रदेश राज्य के श्रीकाकुलम जिले के सोपन कपिली मण्डल के पोनुमुडी तालुका तालुका गाँव के अधीन आने वाले सभी क्षेत्रों पर लागू होंगे।

[सं. एस-38013/46/2008-एस एस 1]

एस. डी. चौधरी, अपर सचिव

New Delhi, the 17th December, 2008

S.O. 45.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the **1st January, 2009** as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of **Andhra Pradesh** namely :—

"All the areas falling within the limits of Revenue Villages of Pogiri, Saradhi & Guruvam in Rajam Mandal in Srikakulam District & all the areas falling within the limits of Revenue Village of Ponuguti Valasa of Santhakaviti Mandal in Srikakulam District, Andhra Pradesh."

[F. No. S-38013/46/2008-S. S.I]

S.D. XAVIER, Under Secy.

नई दिल्ली, 17 दिसम्बर, 2008

का.आ 46.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 जनवरी, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा-76 की उप धारा (1) और धारा 77, 78, 79 और



नई दिल्ली, 22 दिसम्बर, 2008

का.आ 47.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, कर्मचारी राज्य बीमा निगम के परामर्श से, एतद्वारा इस अधिनियम के उपबन्धों को इस अधिसूचना की तारीख से छह महीने के बाद इसके साथ अनुबद्ध अनुसूची के कालम (1) में विनिर्दिष्ट स्थापनों की श्रेणी और कालम (2) में यथा विनिर्दिष्ट इलाकों में स्थित उक्त अधिसूचना के कालम (3) में विनिर्दिष्ट कर्मचारियों के वर्ग पर विस्तारित करने के आशय का नोटिस देती है, अर्थात् :—

अनुसूची

स्थापनों का विवरण	क्षेत्र जिनमें स्थापन स्थित हैं	कर्मचारियों का वर्ग जिन पर अधिनियम लागू होता है
(1)	(2)	(3)
केन्द्र सरकार से संबंधित या नियंत्रणाधीन निम्नलिखित स्थापनों जिनमें पिछले बारह महीनों में किसी दिन मजदूरी पर बीस या अधिक व्यक्ति नियोजित किए गए हैं या किए गए थे, अर्थात् :—	वे सभी क्षेत्र जहां अधिनियम की धारा 1(3) के अधीन कर्मचारी राज्य बीमा अधिनियम, 1948 के उप-बंध पहले ही लागू किए जा चुके हैं।	सभी अनियत और ठेका कर्मचारी
(i) दुकानें;		
(ii) होटल;		
(iii) रेस्तरां;		
(iv) सड़क परिवहन स्थापन;		
(v) पूर्व-दर्शन थियेटर सहित सिनेमा;		

81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध त्रिपुरा के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

अगरतला के अन्तर्गत आने वाले क्षेत्र के साथ राजस्व गांव-अगरतला, जोगेन्द्र नगर, खैरपुर मधुवनगांव, लंकामुर, बरजाला, कुंजावन, बधरघाट राजस्व वाले गाँव।

[सं. एस-38013/47/2008-एस. एस.-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 17th December, 2008

S.O. 46.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the **1st January, 2009** as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tripura namely :—

"Areas under Agartala falls within Agartala in the Revenue Village :—

Agartala Jogandranagar, Khayrpur Madhuban Village, Lankamura, Barjala, Kunjaban, Badharghat Revenue Village in Agartala."

[F. No. S-38013/47/2008-S.S.-I]

S. D. XAVIER, Under Secy.

(1)

- (vi) श्रमजीवी पत्रकार और अन्य समाचार पत्र कर्मचारी (सेवा की शर्तों और प्रकीर्ण उपबंध अधिनियम, 1955 (1955 का 45) की धारा 2(ब) में यथा परिभाषित समाचार स्थापन;
- (vii) बीमा व्यवसाय से जुड़े स्थापन, गैर-बैंकिंग वित्तीय कम्पनियाँ (एच.बी.एफ.सी.), पत्तन न्यास, विमान पत्तन प्राधिकरण तथा पंढारण ।

[सं. एस.-38025/5/2008-सा.सु.-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 22nd December, 2008

S.O. 47.—In exercise of the powers conferred by sub-section (5) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government in consultation with the Employees' State Insurance Corporation hereby gives notice of its intention to extend the provisions of the Act to the classes of establishments specified in column (1) and situate within the area as specified in column (2) of the schedule annexed hereto the category of employees specified in column (3) of the said schedule after six months from the date of this notification, namely :—

SCHEDULE

Description of establishments	Areas in which the establishments are situated	Category of employees to whom the Act applies
(1)	(2)	(3)
The following establishments belonging to or under the control of the Central Government wherein twenty or more persons are employed, or were employed for wages on any day of the preceding twelve months namely :—	All areas where the provision of the Employees' State Insurance Act, 1948 have already been brought into force under Section 1 (3) of the Act.	All casual and contract employees.
(i) Shops;		
(ii) Hotels;		
(iii) Restaurants;		
(iv) Road Transport establishments;		
(v) Cinema including preview theatres;		
(vi) Newspaper establishments as defined in Section 2 (d) of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955);		
(vii) Establishments engaged in insurance business, other than Non-Banking Financial Companies (NBFC), Port Trusts, Airport Authorities and Warehousing.		

[F. No. S-38025/5/2008-S.S.-I]

S. D. XAVIER, Under Secy.